

	<b>CIRCULAR 2012-002 (Ver 3)</b>		
	<b>DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)</b>		
	<b>Reporting of Accidents</b>	<table border="1"> <tr> <td style="text-align: center;">Ref</td> <td>Res. A.1054 MLC 2006 MSC.255(84)</td> </tr> </table>	Ref
Ref	Res. A.1054 MLC 2006 MSC.255(84)		

**Companies operating ships under the flag of Antigua and Barbuda.  
Ships registered under the flag of Antigua and Barbuda.**

This Circular was previously published as Circular 02-001-2012. It is republished with minor amendments in this numbering format.

**Reporting of Accidents and Casualties**

**Background.**

The IMO Casualty Investigation Code in its current form came into force on 1<sup>st</sup> January 2010. In the Code a very serious marine casualty is defined as a marine casualty that leads to the loss of the ship or to a death or to severe damage to the environment. Any very serious casualty must be the subject of a flag state investigation. The Code also says that flag states should investigate lesser incidents although investigation is not mandatory.

The IMO Assembly in November 2011 adopted Resolution A.1054 which is the Code for the Implementation of Mandatory IMO Instruments 2011. This Code replaces previous versions and states that:

*“Any accidents involving personal injury necessitating absence from duty of three days or more and any deaths resulting from occupational accidents and casualties to ships of the flag State should be investigated, and the results of such investigations made public”.*

This extends the previous requirements which were limited to casualties to ships and accidents occurring directly in connection with the operation of the ship and requires the investigation of occupational accidents.

In addition to this the Maritime Labour Convention 2006 has a further requirement that the flag state;

*“shall ensure that occupational accidents, injuries and diseases are adequately reported taking into account the guidance provided by the ILO, with respect to the reporting and recording of occupational accidents and diseases.” (Standard A4.3, MLC).*

Taken collectively, the new IMO Code on Accident Investigation, the MLC, and the Code for the Implementation of Mandatory Instruments, place a clear requirement on the administration that goes beyond the basic Accident Code requirements that are set out in Information letter 006-2010.

Information letter 006-2010 is therefore withdrawn and replaced by this Circular.

This Circular was previously published as Circular 02-002-2012 it is renumbered as part of a general review of all current circulars.

**New requirements.**

To address the changes in international rules ADOMS has issued Director's Directive 001-2012 which clarifies the basic casualty investigation requirements that are in the Merchant Shipping Act and establishes the reporting requirements. This Circular sets out the steps and actions that should be taken in Antigua and Barbuda ships in so far as defining reportable incidents and making reports in compliance with the Directive.

**Definitions.**

The following definitions are important in understanding the reporting requirements.

***Marine Casualty:***

Is an event which has occurred directly in connection with the operation of a ship which has resulted in:

- The death or serious injury to a person,
- The loss of a person from a ship.
- The loss, presumed loss or abandonment of a ship,
- Material damage to a ship,
- The stranding or disabling of a ship, or the involvement of a ship in a collision,
- Material damage to marine infrastructure external to a ship that could seriously endanger the safety of the ship, another ship, or an individual, or
- Severe damage to the environment, or the potential for severe damage to the environment brought about by the damage of a ship or ships.

***Very serious marine casualty:***

Is one of the above that leads to the loss of the ship, to a death, or to severe damage to the environment.

***Serious injury:***

Is defined as an injury which is sustained by a person, resulting in incapacitation where the person is unable to function normally for more than 72 hours, commencing within seven days of the date when the injury was suffered.

***Occupational accident:***

Is an unexpected and unplanned occurrence, including acts of violence, arising out of or in connection with work which results in one or more workers incurring a personal injury, disease or death. (ILO).

***Occupational Disease:***

Means a disease contracted as a result of an exposure to risk factors arising from a work activity.

### **Reporting requirements, casualties and accidents.**

For Antigua and Barbuda ships, on every occasion whenever any of the following occurs a report must be made to ADOMS:

- A Very Serious Marine casualty,
- A Marine casualty,
- A Serious injury suffered by any seafarer as a result of any occupational accident or any other cause, or
- An occupational disease is contracted by any seafarer arising from his work on board.

The identities of personnel involved in reporting, involved in incidents and illnesses will remain completely confidential. Each report should identify clearly which type of event is being reported.

### **Reporting process (marine casualties);**

Reports of casualties should be made by the fastest means available and as soon as possible and should include at least;

- The name and IMO number of the ship,
- The nature of the incident,
- The location of the incident,
- A brief description of the events.
- Details of any seafarers killed or injured in the incident,
- Details of any actions being taken to mitigate the effects of the incident,
- Details of any third parties involved.
- Any other information that will assist ADOMS in becoming fully aware of the situation.

### **Reporting Process (occupational accidents, serious injuries and occupational diseases)**

Reports of these occurrences should also be made by the fastest route possible. Where an accident has resulted in injuries to more than one seafarer there should be separate reports for each injured seafarer and any and each report should include at least:

- The name, rank, date of birth, nationality, and gender, of the seafarer,
- The nature of the injuries suffered or disease contracted,
- The outcome where this is known – death, recovery, expected long term effects etc.
- The time of the incident and the environmental conditions at that time – lighting, weather if applicable, temperature, etc.
- The location on board where the injury occurred,
- The activities that the seafarer was engaged in at the time of the accident,
- The record of hours worked and hours rested for the seafarer in the 48 hours prior to the accident,

- Details of any other seafarer affected by the incident,
- A brief description of the events surrounding the accident.

### **Reporting requirements for other matters.**

In addition to the requirements to report casualties and accidents, the Administration has a duty to monitor other events occurring in Antigua and Barbuda ships and to meet this duty the following should also be reported as soon as possible with as much information as possible;

- Port State Control detentions,
- Breaches of Security,
- Pollution incidents.

### **Investigations.**

Investigations of casualties and accidents occurring to Antigua and Barbuda ships are carried out by ADOMS IID. In accordance with the Code, all serious marine casualties will be investigated. Other marine casualties and occupational accidents will be assessed on the strength of the reported facts and may be investigated where the Administration considers that there may be lessons to be learned.

In accordance with the ISM Code Section 9 all accidents and hazardous situations should be reported to the Company, investigated and analysed with the objective of improving safety and pollution prevention. ADOMS IID may request copies of the ship and company investigation report as part of the process of assessing the need for further investigation or as part of completing its own investigations.

### **Contact details for reports;**

All reports should be made to **ADOMS IID**;

ADOMS, IID                      [reporting@adomsiid.org](mailto:reporting@adomsiid.org)

Phone: +49 (0) 4404 95924 0

Fax: +49 (0) 4404 95924 22

-----

January 2020