



Rev. 0

**REPUBLIC of SAN MARINO  
MARITIME AUTHORITY**

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## **San Marino Policy Letter**

**SMPL – 2023-TEC-006**

**1 October 2023**

**San Marino Ship Register SMSR**

**Investigations**

TO: Recognised Organisations, Shipowners, Managers, Masters, Seafarers, SMSR partners, SMSR brokers, Surveyors, and the general public.

<b>Rev. n</b>	<b>Date</b>	<b>Changes</b>	<b>Initials</b>
0	01/10/2023	n/a	nc

## 1. References

- a. SOLAS Regulation I/21.
- b. SOLAS Regulation XI-1/6.
- c. IMO Instruments Implementation Code (Ill Code) (resolution A.1070(28)), par. 38 to 41.
- d. RESOLUTION MSC.255(84): Adoption of The Code of The International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty Or Marine Incident (Casualty Investigation Code), part I and II.
- e. Guidelines to assist investigators in the implementation of the Casualty Investigation Code (resolution MSC.255(84)) (resolution A.1075(28)).
- f. Recommendation on the conclusion of agreements and arrangements between States on the question of access and employment of foreign seaborne salvage equipment in territorial waters (resolution A.203(7)).
- g. Guidelines on fair treatment of seafarers in the event of a maritime accident (resolution A.987(24)).
- h. Promotion as widely as possible of the application of the 2006 guidelines on fair treatment of seafarers in the event of a maritime accident (resolution A.1056(27)).
- i. Notification and circulation through the Global Integrated Shipping Information System (GISIS) (resolution A.1074(28)).
- j. Revised harmonized reporting procedures - Reports required under SOLAS regulations 1/21 and XI-1/6, and MARPOL, articles 8 and 72 (MSC-MEPC.3/Circ.4/Rev.1).
- k. Provision of preliminary information on serious and very serious casualties by rescue coordination centres (MSC/Circ.802-MEPC/Circ.332).
- l. Guidance on near-miss reporting (MSC-MEPC.7/Circ.7).
- m. Reporting near misses (MSC.Circ.1015).
- n. [San Marino Policy Letter SMPL – 2023-TEC-003](#) as revised.
- o. ISM code part A, sections 9.1 and 9.2
- p. [San Marino Law no. 120](#), 2nd August 2019

## 2. Definitions

1. An agent means any person, natural or legal, engaged on behalf of the owner, charterer or operator of a ship, or the owner of the cargo, in providing shipping services, including managing arrangements for the ship being the subject of a marine safety investigation.
2. A causal factor means actions, omissions, events or conditions, without which:
  - a. the marine casualty or marine incident would not have occurred; or
  - b. adverse consequences associated with the marine casualty or marine incident would probably not have occurred or have been as serious.
  - c. another action, omission, event or condition, associated with an outcome in a. or b., would probably not have occurred.
3. A coastal State means a State in whose territory, including its territorial sea, a marine casualty or marine incident occurs.

4. Exclusive economic zone means the exclusive economic zone as defined by article 55 of the United Nations Convention on the Law of the Sea.
5. Flag State means a State whose flag a ship is entitled to fly.
6. High seas means the high seas as defined in article 86 of the United Nations Convention on the Law of the Sea.
7. Interested party means an organization, or individual, who, as determined by the marine safety investigating State(s), has significant interests, rights or legitimate expectations with respect to the outcome of a marine safety investigation.
8. International Safety Management (ISM) Code means the International Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by the Organization by resolution A.741(18), as amended.
9. A marine casualty means an event, or a sequence of events, that has resulted in any of the following which has occurred directly in connection with the operations of a ship:
  - a. the death of, or serious injury to, a person;
  - b. the loss of a person from a ship;
  - c. the loss, presumed loss or abandonment of a ship;
  - d. material damage to a ship;
  - e. the stranding or disabling of a ship, or the involvement of a ship in a collision;
  - f. material damage to marine infrastructure external to a ship, that could seriously endanger the safety of the ship, another ship or an individual; or
  - g. severe damage to the environment, or the potential for severe damage to the environment, brought about by the damage of a ship or ships.However, a marine casualty does not include a deliberate act or omission, with the intention to cause harm to the safety of a ship, an individual or the environment.
10. A marine incident means an event, or sequence of events, other than a marine casualty, which has occurred directly in connection with the operations of a ship that endangered, or, if not corrected, would endanger the safety of the ship, its occupants or any other person or the environment. However, a marine incident does not include a deliberate act or omission, with the intention to cause harm to the safety of a ship, an individual or the environment.
11. A marine safety investigation means an investigation or inquiry (however referred to by a State), into a marine casualty or marine incident, conducted with the objective of preventing marine casualties and marine incidents in the future. The investigation includes the collection of, and analysis of, evidence, the identification of causal factors and the making of safety recommendations as necessary.
12. A marine safety investigation report means a report that contains:
  - a. a summary outlining the basic facts of the marine casualty or marine incident and stating whether any deaths, injuries or pollution occurred as a result;
  - b. the identity of the flag State, owners, operators, the company as identified in the safety management certificate, and the classification society (subject to any national laws concerning privacy);

- c. where relevant the details of the dimensions and engines of any ship involved, together with a description of the crew, work routine and other matters, such as time served on the ship;
  - d. a narrative detailing the circumstances of the marine casualty or marine incident;
  - e. analysis and comment on the causal factors including any mechanical, human and organizational factors;
  - f. a discussion of the marine safety investigation's findings, including the identification of safety issues, and the marine safety investigation's conclusions; and
  - g. where appropriate, recommendations with a view to preventing future marine casualties and marine incidents.
- 13.** Marine safety investigation Authority means an Authority in a State, responsible for conducting investigations in accordance with this Code.
- 14.** Marine safety investigating State(s) means the flag State or, where relevant, the State or States that take the responsibility for the conduct of the marine safety investigation as mutually agreed in accordance with this Code.
- 15.** A marine safety record means the following types of records collected for a marine safety investigation:
- a. all statements taken for the purpose of a marine safety investigation;
  - b. all communications between persons pertaining to the operation of the ship;
  - c. all medical or private information regarding persons involved in the marine casualty or marine incident;
  - d. all records of the analysis of information or evidential material acquired in the course of a marine safety investigation;
  - e. information from the voyage data recorder.
- 16.** A material damage in relation to a marine casualty means damage that:
- a. significantly affects the structural integrity, performance or operational characteristics of marine infrastructure or a ship; and
  - b. requires major repair or replacement of a major component or components; or
  - c. results in the destruction of the marine infrastructure or ship.
- 17.** A seafarer means any person who is employed or engaged or works in any capacity on board a ship.
- 18.** A serious injury means 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 from the date when the injury was suffered.
- 19.** A severe damage to the environment means damage to the environment which, as evaluated by the State(s) affected, or the flag State, as appropriate, produces a major deleterious effect upon the environment.
- 20.** Substantially interested State means a State:
- a. which is the flag State of a ship involved in a marine casualty or marine incident; or
  - b. which is the coastal State involved in a marine casualty or marine incident; or

- c. whose environment was severely or significantly damaged by a marine casualty (including the environment of its waters and territories recognized under international law); or
  - d. where the consequences of a marine casualty or marine incident caused, or threatened, serious harm to that State or to artificial islands, installations, or structures over which it is entitled to exercise jurisdiction; or
  - e. where, as a result of a marine casualty, nationals of that State lost their lives or received serious injuries; or
  - f. that has important information at its disposal that the marine safety investigating State(s) consider useful to the investigation; or
  - g. that for some other reason establishes an interest that is considered significant by the marine safety investigating State(s).
- 21.** Territorial sea means territorial sea as defined by Section 2 of Part II of the United Nations Convention on the Law of the Sea.
- 22.** A very serious marine casualty means a marine casualty involving the total loss of the ship or a death or severe damage to the environment.

### **3. Introduction**

According to the provisions set in [San Marino Policy Letter SMPL – 2023-TEC-003](#), the notification of any casualty, incident, or port state control inspection that involves a ship flying the San Marino Flag is a mandatory requirement for Masters, Shipowners, and Companies.

According to the provisions of the ISM code part A, sections 9.1 and 9.2, the relevant follow up activities carried out by the Company following a casualty, an incident, or a PSC deficiency shall be collected and evaluated for assessment by the San Marino Maritime Authority.

For those vessels where the ISM code does not apply, a questionnaire shall be sent to the owner to collect, as far as practicable, analogue information. The questionnaire is available in Annex I to this Policy Letter.

The San Marino Maritime Authority may request further information on the event. The Company or the Master are required to provide any requested additional information. The assessment carried out by the San Marino Maritime Authority based on the collected information may result in the decision to undertake a more comprehensive investigation. The San Marino Maritime Authority reserves the right to decide to carry out more detailed investigations of specific cases.

The criteria of such an investigation are described in the following paragraphs and are in line with the documents referred to in paragraph 1.

The data from accident reports are collected by the San Marino Ship Register and used for statistical analysis of accident trends.

The present Policy Letter does not apply to pleasure yachts in private use. The San Marino Maritime Authority shall evaluate whether to investigate specific events concerning private pleasure yachts where necessary.

#### **4. When to conduct an investigation**

The San Marino Administration shall conduct an investigation of any casualty occurring to any of its ships, when deemed necessary to determine regulatory changes beneficial to safety and environmental protection, and to avoid recurrences.

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

Similarly, an investigation may be initiated in case of serious deficiencies ascertained in the course of surveys conducted by any Port State Control, Class, RO, RSO.

A marine safety investigation shall be conducted into every very serious marine casualty. San Marino is responsible for ensuring that a marine safety investigation is conducted and completed when a ship flying the San Marino Flag is involved in a very serious marine casualty.

#### **5. Purpose**

Marine safety investigations do not seek to apportion blame or determine liability. Instead, a marine safety investigation, is an investigation conducted with the objective of preventing marine casualties and marine incidents in the future.

The Investigation seeks to uncover the event's causal factors (or root causes) for their correction and to provide reports to enable a wide dissemination of information to assist the international marine industry to address safety issues.

According to the described scope, a marine safety investigation is separate from, and independent of, any other form of investigation. However, nothing precludes any other form of investigation, including investigations for action in civil, criminal, and administrative proceedings.

A marine safety investigation is not a reason to refrain from fully reporting on the causal factors of a marine casualty or marine incident because blame or liability, may be inferred from the findings.

Where a marine casualty or marine incident occurs within the territory, including the territorial sea, of a State, that State has a right to investigate the cause of any such marine casualty or marine incident which might pose a risk to life or to the environment, involve the coastal State's search and rescue authorities, or otherwise affect the coastal State.

#### **6. Marine Safety Investigation Authority**

The San Marino Authority responsible for the marine safety investigations is the “Civil Aviation, Maritime Navigation and Homologation Authority” (the Authority) as reported within the IMO portal GISIS.

Whenever it is determined that an investigation is necessary, the Authority shall appoint an inspector or an organization to conduct the investigation. The choice shall be based upon the evaluation of various circumstances such as the nature and the severity of the casualty, the location of the casualty, the parties involved, the specific skills of the inspector or the organization.

Marine safety investigations shall be conducted by impartial and objective investigators, who are suitably qualified and knowledgeable in matters relating to the casualty.

Individual investigators must have working knowledge and practical experience in those subject areas pertaining to their normal duties. Additionally, in order to assist individual investigators in performing duties outside their normal assignments, San Marino shall facilitate the ready access to expertise in the following areas, as necessary: navigation and the Collision Regulations; flag State regulations on certificates of competency; causes of marine pollution; interviewing techniques; evidence gathering; evaluation of the effects of the human element, other not listed if deemed appropriate.

## **7. Notification**

When a marine casualty involving a ship flying the San Marino Flag occurs on the high seas or in an exclusive economic zone, San Marino Maritime Authority shall notify other substantially interested States as soon as it is reasonably practicable.

When a marine casualty involving a ship flying the San Marino Flag occurs within the territory, including the territorial sea, of a coastal State, the San Marino Maritime Authority and the coastal State shall notify each other and between them notify other substantially interested States as soon as is reasonably practicable.

The notification shall not be delayed due to the lack of complete information.

The notification shall contain as much of the following information as is readily available:

- a. the name of the ship;
- b. the IMO ship identification number;
- c. the nature of the marine casualty;
- d. the location of the marine casualty;
- e. time and date of the marine casualty;
- f. the number of any seriously injured or killed persons;
- g. consequences of the marine casualty to individuals, property and the environment; and
- h. the identification of any other ship involved.



## **8. Flag State Agreement with Another Substantially Interested State To Conduct A Marine Safety Investigation**

Without limiting the rights of States to conduct their own separate marine safety investigation, where a marine casualty occurs within the territory, including territorial sea, of a State, San Marino shall consult the coastal State to seek agreement on which State or States will be the marine safety investigating State(s).

Without limiting the rights of States to conduct their own separate marine safety investigation, San Marino recognizes that if a marine casualty occurs on the high seas or in the exclusive economic zone of a State, and involves more than one flag State, then the States shall consult to seek agreement on which State or States will be the marine safety investigating State(s).

Prior to reaching an agreement, or if an agreement is not reached then the existing obligations and rights of San Marino under the provisions of the listed international conventions, and under other international laws, to conduct a marine safety investigation, remain with the respective parties to conduct their own investigation.

By fully participating in a marine safety investigation conducted by another substantially interested State, San Marino shall be considered to fulfil its obligations under the Investigation code, SOLAS regulation 1/21 and article 94, section 7 of the United Nations Convention on the Law of the Sea.

## **9. Principles of Investigation**

Independence: A marine safety investigation should be unbiased to ensure the free flow of information to it.

In order to achieve the independence, the investigator(s) carrying out a marine safety investigation should have functional independence from:

1. the parties involved in the marine casualty or marine incident;
2. anyone who may make a decision to take administrative or disciplinary action against an individual or organization involved in a marine casualty or marine incident; and
3. judicial proceedings.

The investigator(s) carrying out a marine safety investigation should be free of interference from the parties in a., b. and c. with respect to:

1. the gathering of all available information relevant to the marine casualty or marine incident, including voyage data recordings and vessel traffic services recordings;
2. analysis of evidence and the determination of causal factors;
3. drawing conclusions relevant to the causal factors;
4. distributing a draft report for comment and preparation of the final report; and

5. if appropriate, the making of safety recommendations.

Safety focused: It is not the objective of a marine safety investigation to determine liability, or apportion blame. However, the investigator(s) carrying out a marine safety investigation should not refrain from fully reporting on the causal factors because fault or liability may be inferred from the findings.

Co-operation: San Marino recognizes that where it is practicable and consistent the marine safety investigating State(s) should seek to facilitate maximum co-operation between substantially interested States and other persons or organizations conducting an investigation into a marine casualty or marine incident.

Priority: A marine safety investigation should, as far as possible, be afforded the same priority as any other investigation, including investigations by a State for criminal purposes being conducted into the marine casualty or marine incident.

Investigator(s) carrying out a marine safety investigation should not be prevented from having access to evidence in circumstances where another person or organization is carrying out a separate investigation into a marine casualty or marine incident.

The evidence for which ready access should be provided should include:

1. survey and other records held by the flag State, the owners, and classification societies.
2. all recorded data, including voyage data recorders; and
3. evidence that may be provided by government surveyors, coastguard officers, vessel traffic service operators, pilots or other marine personnel.

Scope of a marine safety investigation: Proper identification of causal factors requires timely and methodical investigation, going far beyond the immediate evidence and looking for underlying conditions, which may be remote from the site of the marine casualty or marine incident, and which may cause other future marine casualties and marine incidents. Marine safety investigations should therefore be seen as a means of identifying not only immediate causal factors but also failures that may be present in the whole chain of responsibility.

## **10. Powers of an Investigation**

The investigators carrying out a marine safety investigation have the ability to board a ship, interview the master and crew and any other person involved, and acquire evidential material for the purposes of a marine safety investigation.

In accordance with Art. 3 of Law n. 120, 2019, the designated investigator shall have the right to access, in a reasonable time, any ship, port or other place or document, for the purpose of ensuring safety, pollution prevention, and legality of maritime activities under the San Marino Flag.

## **11. Parallel Investigation**

San Marino recognizes that where the marine safety investigating State(s) is conducting a marine safety investigation, nothing prejudices the right of another substantially interested State to conduct its own separate marine safety investigation.

While recognizing that the marine safety investigating State(s) shall be able to fulfil obligations under the listed codes, San Marino shall seek to co-ordinate the timing of the investigations, to avoid conflicting demands upon witnesses and access to evidence, where possible.

## **12. Co-operation**

San Marino recognizes that all substantially interested States shall co-operate with the marine safety investigating State(s) to the extent practicable. San Marino shall provide for the participation of the substantially interested States to the extent practicable.

## **13. Investigation Not to Be Subject to External Direction**

San Marino is committed to ensuring that the investigators carrying out a marine safety investigation are impartial and objective. The marine safety investigation shall be able to report on the results of a marine safety investigation without direction or interference from any persons or organizations who may be affected by its outcome.

## **14. Obtaining Evidences from Seafarers**

Where a marine safety investigation requires a seafarer to provide evidence to it, the evidence shall be taken at the earliest practical opportunity. The seafarer shall be allowed to return to his/her ship, or be repatriated at the earliest possible opportunity. The seafarers' human rights shall, at all times, be upheld.

All seafarers from whom evidence is sought shall be informed of the nature and basis of the marine safety investigation. Further, a seafarer from whom evidence is sought shall be informed, and allowed access to legal advice, regarding:

1. any potential risk that they may incriminate themselves in any proceedings subsequent to the marine safety investigation;
2. any right not to self-incriminate or to remain silent;
3. any protections afforded to the seafarer to prevent the evidence being used against them if they provide the evidence to the marine safety investigation.

## **15. Draft Marine Safety Investigation Reports**

15.1 Subject to paragraphs 15.2 and 15.3, where it is requested, San Marino shall send a copy of a draft report to a substantially interested State to allow the substantially interested State to make comment on the draft report.

15.2 San Marino recognizes that Marine safety investigating State(s) are only bound to comply with paragraph 14.1 where the substantially interested State receiving the report guarantees not to circulate, nor cause to circulate, publish or give access to the draft report, or any part thereof, without the express consent of the marine safety investigating State(s) or unless such reports or documents have already been published by the marine safety investigating State(s).

15.3 San Marino recognizes that the marine safety investigating State(s) are not bound to comply with paragraph 15.1 if:

- a. the marine safety investigating State(s) request that the substantially interested State receiving the report to affirm that evidence included in the draft report will not be admitted in civil or criminal proceedings against a person who gave the evidence; and
- b. the substantially interested State refuses to provide such an affirmation.

15.4 San Marino recognizes that the marine safety investigating State(s) shall invite the substantially interested States to submit their comments on the draft report within 30 days or some other mutually agreed period. The marine safety investigating State(s) shall consider the comments before preparing the final report and where the acceptance or rejection of the comments will have direct impact on the interests of the State that submitted them, the marine safety investigating State(s) shall notify the substantially interested State of the manner in which the comments were addressed. If the marine safety investigating State(s) receives no comments after the 30 days or the mutually agreed period has expired, then it may proceed to finalize the report.

15.5 San Marino is committed to verify the accuracy and completeness of the draft report by the most practical means.

## **16. Safety Investigation Reports**

San Marino recognizes that the marine safety investigating State(s) shall submit the final version of a marine safety investigation report to the Organization for every marine safety investigation conducted into a very serious marine casualty.

Where a marine safety investigation is conducted into a marine casualty or marine incident, other than a very serious marine casualty, and a marine safety investigation report is produced which contains information which may prevent or lessen the seriousness of marine casualties or marine incidents in the future, the final version shall be submitted to the Organization.

The marine safety investigation report shall utilize all the information obtained during a marine safety investigation, taking into account its scope, required to ensure that all the relevant safety issues are included and understood so that safety action can be taken as necessary.

The final marine safety investigation report shall be made available to the public and the shipping industry by the marine safety investigating State(s), or the marine safety investigating State(s) shall undertake to assist the public and the shipping industry with details, necessary to access the report, where it is published by another State or the Organization.

The San Marino Maritime Authority undertakes to supply the Organization with pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

## Annex I

### Guidelines relevant to the information to be provided to the San Marino Maritime Authority in case of incidents involving non ISM vessels

#### ACCIDENT REPORT

Date, time, vessel name

#### PART I

#### General data and information to be collected on shipwrecks or marine casualties (Taking into account their nature and extent on a case-by-case basis)

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##### General information

- Type of vessel or craft.
- Name – Nationality.
- Registered Tonnage.
- Port of Registry and Official Number.
- Hull construction date and place.
- Shipbuilding materials.
- Average speed.
- Engine type and power in kW.
- Surname, first name, address, and residence of the owners.
- Vessel or craft usual area of operation.
- Port of departure and date.
- Subsequent calls.
- Departure date and last call before the accident.
- Scheduled destination port.
- Ship and equipment conditions at the departure port.
- If it has undergone transformation work.
- Safety Certificate details (passengers or cargo or exemption).

##### Cargo

- Quality, quantity, distribution in the holds, distribution of the cargo loaded above deck, if any. Possible information about shippers and recipients. (In case of a claim caused by stability deficiency, also indicate the situation of liquids in service tanks, double bottoms and the changes made after departure, collect, where possible, and, where necessary, the following elements:
  - Hull lines.
  - Exact distribution weights.

- Any declaration of stability issued, loading manual, trim and stability booklet.
- Height of chariot heads on deck.

#### **Warranty claims on the ship and any pending legal proceedings**

- Mortgage nature and amount-

#### **Insurance**

- Insurance Company, insured amount.
- For cargo, Insurance Company, insured amount.
- For charter, Insurance Company, insured amount.
- If the Master has a copy of the insurance policies, number, date and location of issuance.
- If the Master has personally carried out and arranged for insurance regarding ship, freight, provisions, personal effects, etc., during the trip.

#### **Persons concerned on the vessel or cargo**

- If the Master at the time of the accident was directly involved in the ship or cargo and in what form and size.
- If other persons on board at the time of the accident were directly involved and how, to the ship and to the cargo, indicating them if so.

#### **Information about the person in charge of command**

- Surname and Name.
- Place of birth.
- Experience in the command of ships in general or crafts.
- Sanctions and disciplinary measures suffered following on marine casualties.

#### **Numerical information on people on board**

##### *Crew*

- Total.
- Officers (Master included).
- Other members, distinguishing engine, deck, hotel, auxiliaries:

##### *Passengers*

- Total.

#### **Information related to the accident**

- Place, date/hour.
- Incident detailed description.

(If the accident is due to a lack of stability, specify the conditions of trim or stability transverse to the departure and indicate when you began to notice the heel).

- Real courses, time of waypoints, actual speed in the immediately prior to the accident.
- (Where fitted, collect the VDR recording).
- Fwd and Aft draft of the vessel at the instant before the accident.

#### **Weather and sea conditions at the time of the accident**

- Wind direction.
- Wind speed.
- Sea direction.
- Force of the sea.
- Current direction.
- Current speed.
- Sky conditions.
- Visibility in miles.
- Barometer reading.
- Barometer trend.
- Any notes on the meteorological events during the incident.

#### **Phone and radio information**

- Time of distress order sent.
- Time of the communication of the ship's position made by the Master to the radio operator.
- Did the autonomous source of energy work, and for how long.

#### **Miscellaneous information**

- Other ships alerted during the accident and at what distance.
- If and which information has been exchanged with other ships and with what system.
- if deck and engine personnel were on duty and at their place.
- If an attempt to reach a safe port has been made.
- What reasons prevented reaching a safe port.
- Description and extent of damage suffered by the ship: (Excluding engine and cargo).
- Description and extent of damage suffered by the engine.
- Description and extent of damage suffered by the cargo.
- Persons injured, dead, or missing in the accident (Surname, first name, other personal details, nationality, if members of the crew or passengers, etc.).
- Causes to which the accident is traced or attributed according to the opinion of the Master in relation also to what was reported to him by the personnel in charge of onboard services.



## PART II

### **Special information in the various cases of hull damage**

- Location of hull damage, flooded compartments, soundings carried out.
- Use of pumps, results.
- Other means used to stop the water intake.
- Indicate whether the hull damage was caused by environmental condition, bad stowage or overload, other defects or age of the ship, etc.

### **In case of grounding**

- If the Master was on the bridge.
- If the Master was not on the bridge, indicate by whom and when was warned the danger to the ship.
- If the pilot was on board.
- Soundings made after the accident. Part of the ship grounded. Nature of the seabed. Real heading after grounding.
- Description of the means used to carry out or attempt the grounding.
- Whether the grounded or wrecked ship or its wrecks may constitute a danger to Navigation.
- Measures enforced.

### **In case of fire**

- Part of the ship where it began.
- Other parts it may have extended.
- If hot works were being carried out on board and at what point on the ship.
- If the prescribed precautions for the hot works have been used, indicate them.
- If the cargo included explosive, flammable, spontaneous combustion or otherwise dangerous goods (Indicate classification).
- If the ship was authorised to transport dangerous goods on board.
- If the necessary precautionary measures have been taken in stowage and during the sea passage for such goods, (Type to indicate).
- Means used for extinguishing and their operation.

### **In case of abandonment of the ship**

- If the decision was made by the Master after consultation with deck officers or crew members.
- If the Master left the ship for last.
- Location where the ship was abandoned:
- Seaworthiness conditions in which the ship was abandoned.
- Means used to abandon the ship.

- Surname, name, title, rank and qualification of seafarers in command of individual lifeboat or life raft, of their crew and if possible, of the persons on board.
- If and how long after abandonment the Master and the crew or part of it have remained in sight of the ship.
- If the Master, the crew or part thereof or other persons detected that it sank after abandonment.
- If they were rescued.
- Certificate of registry.
- Nautical logbook.
- Oil record book and engine logbook.
- Personal belongings.
- Nautical instruments.
- Safe.
- Any other values.

**In case of collision**

- Name, nationality and Gross tonnage of the ship with which the collision occurred.
- Port of origin and port of destination.
- Time of ship 1st plotting. Indicate whether the optical sighting was made by the lookout or by another person. In case of radar plotting, indicate by whom it was carried out and whether or not he is in possession of the certificate issued by the specialized institutes for deck officers who have attended radar training courses.
- Estimated distance of the ship plotted.
- Estimated course of the plotted ship. Indicate whether the estimation was made following a radar plotting.
- Bearing.
- Estimated speed of the plotted ship.
- Detected lights or their visibility.
- Other targets (estimated distances and times) plotted between the time of sighting and the time of collision.
- Signals made by the ship to which the questionnaire relates.
- If by radio equipment.
- Whether with flags or other optical means.
- If with acoustic means.
- Time when the signals were made.
- Signals from the other ship. Whether by radiotelegraphy or radiotelephony.
- If with flags or other optical means. If by acoustic means. Time of receiving signals.
- Collision time.
- Collision angle.

- Efficiency of equipment to avoid collisions at sea (lights, acoustic signals, etc.) on board.
- Operations carried out by the Master in order to avoid collision (performed routes).
- Maneuvers that the Master estimated have been made by the other ship.
- Information on damage to his own ship and damage to the other vessel, as told to the declarant.
  
- Instructions given by the Master and measures taken before and after the collision regarding the ship, its crew and the passengers:
  - Information of any assistance given to the other ship or received by it.
  - If the pilot was on board the colliding ship or not.
  - Demonstration sketch made by the Master of the phases related to the collision:

### PART III

#### **State of conservation and operation of equipment and devices prescribed or recommended for the safety of navigation affecting individual accidents.**

- Subdivision of the ship. Bulkheads.
- Doors and watertight openings existing on board.
- Operating status, indicating the date of the prescribed efficiency and functioning tests when the accident took place.
- Bulkheads and fire doors. State of conservation at the time of the accident.
- Main navigation equipment. Brief description, functioning at the time of the accident.
- Ancillary navigation equipment. Brief description.
- State of conservation, operation and if they have been used at the time of the accident.
- Apparatus for transmitting orders. Brief description use and operation at the time of the accident.
- Bilge pumping systems. Brief description use and operation at the time of the accident.
- Fire extinguishing pumps. If fitted, state of conservation, use and operation at the time of the accident.
- Any equipment out of service or defective at the time of accident.
- Special means for extinguishing fires on board. Brief description, state of conservation, use and operation at the time of the accident.
- Fire-fighting devices. If fitted, type, state of conservation, use and operating at the time of the accident:
- Operating of the radar, the echo sounder, autopilot and the course repeater.
- Operating of anyny other apparatus, instrument or navigation device.
- Operation of existing radio-telegraphic and emergency telephone equipment on lifeboats:

### PART IV

#### **Any additional information**

- Notes on any claims previously suffered from the ship.
- Information of a special nature not included in the questionnaire which could be useful or relevant for the purposes of investigations.

Date:

Master or representative:

Name and signature