



## Marine Notice No. 11 of 2021

*Notice to all Fishing Vessel Owners, Operators, Skippers and Fishers*

**Safety recommendations regarding an incident involving the grounding of a Fishing Vessel 15-24 metres in length.**

The Department of Transport wishes to bring to the attention of all Fishing Vessel Owners, Operators, Skippers and Fishers a recent report published by the Marine Casualty Investigation Board (MCIB) into the marine casualty involving the fishing vessel “FV Dearbhla” at the Blaskets, Co. Kerry on 14<sup>th</sup> May 2020. The full report may be obtained from the website of the MCIB at [www.mcib.ie](http://www.mcib.ie).

In response to the recommendations of the MCIB report, the Department of Transport reminds all Fishing Vessel Owners, Operators and Skippers and crew of fishing vessels of the following requirements:

- To ensure all navigation is planned in adequate detail and that passage plans, with contingency plans where appropriate, are compiled and made known to the crew of the vessel. For further information on voyage planning, executing a voyage, contingency planning, procedures and drills please consult [Marine Notice No. 41 of 2020](#).
- To develop contingency plans and procedures for a grounding event or collision incident. For further detailed information on drills and musters please consult [Marine Notice No. 40 of 2018](#).

The Department of Transport also wishes to remind all Fishing Vessel Owners, Operators, Skippers and crew of fishing vessels of the following statutory requirements:

### Training, Drills and Musters

- All crew of a fishing vessel between 15 – 24 metres in length are required to be given training and instructions as specified in Regulation 102(2) of the Merchant Shipping (Safety of Fishing Vessels) (15 – 24 metres) Regulations 2007 ([S.I. No.640 of 2007](#)). For information, please see below extract from Regulation 102 of the afore mentioned Regulations:

'102. (1) Owners shall ensure that their vessels are operated without endangering the safety and health of the crew.

(2) The crew shall be given training and instructions on health and safety matters on board fishing vessels, and, in particular on accident prevention.'

- The skipper of a fishing vessel over 24 metres is required under the Merchant Shipping (Safety of Fishing Vessels) (16.5 metres or over) Regulations 1993 ([S.I. 48 of 1993](#)) to draw up muster lists for their vessels and exercise the crews of their vessels in the use of lifesaving appliances and firefighting appliances carried on their vessels.
- Chapter 8.9 of the Code of [Practice](#) for the Design, Construction, Equipment and Operation of Small Fishing Vessels of less than 15m sets out the requirements in relation to drills and musters for vessels under 15m.

### Reporting Obligations

- Regulation 7(10)(c) of the Merchant Shipping (Safety of Fishing Vessels) (15 – 24 metres) Regulations 2007 ([S.I. No.640 of 2007](#)) provides that the skipper or owner of a fishing vessel (15-24 metres in length) is required at the earliest opportunity to report to the Marine Survey Office of the Department of Transport when an accident occurs to the vessel or a defect is discovered which affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment. Contravention of this requirement may result in an offence under section 19 (inserted by [section 47](#) of the Maritime Safety Act 2005) of the [Merchant Shipping Act 1992](#). For information, please see below extract from Regulation 7(10)(c) of the aforementioned Regulations:

'(c) Whenever an accident occurs to a vessel or a defect is discovered, either of which affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment-

(i) the skipper or owner of the vessel shall report at the earliest opportunity to the Marine Survey Office,

(ii) which office shall decide whether a survey, as required by this Regulation, is necessary, and

(iii) if the vessel is in a port of another State, the skipper or owner shall also report immediately to the appropriate authorities of the port State.'

- Additionally, under [section 23](#) of the Merchant Shipping (Investigation of Marine Casualties) Act 2000 (as adapted by Regulation 5 of the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 ([S.I. No. 276 of 2011](#))) for vessels that fall within the scope of the Regulations (such as fishing vessels of 15 metres or more in length) it is a statutory requirement to notify the MCIB of a

marine casualty or incident. Failure to notify the MCIB of a casualty or incident without reasonable excuse may result in an offence.

**Note:** Marine Notices are issued purely for maritime safety and navigation reasons and should not be construed as conferring rights or granting permissions.

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