



## Marine Notice No. 60 of 2023

*Notice to all Shipowners, Shipmasters and Seafarers*

### Health and Safety on Board Ships and Reporting of Marine Incidents

#### 1. Overview:

1.1 The Minister for State at the Department of Transport recently signed the Merchant Shipping (Health and Safety General Duties and Reporting of Marine Incidents) Regulations 2023 ([S.I. No. 441 of 2023](#)), which came into effect on 05 September 2023. These regulations revoke and replace three previous statutory instruments dating from 1988 (S.I. No. 107 of 1988, S.I. No. 109 of 1988 and S.I. No. 110 of 1988) and set out the general health and safety requirements on board ships and the requirement to report marine incidents to the Marine Survey Office (MSO).

1.2 A definition of marine incident and marine casualty as set out in the legislation can be found in Appendix 1 to this notice.

#### 2. Duty of the shipowner, master and crew:

2.1 Every shipowner is required to prepare a written statement of the general policy with respect to health and safety on board the ship and the arrangements in force for the carrying out of that policy and to bring the statement and any revision of it to the notice of all crew members. The Regulations also set out the specific requirements regarding the provision of safe machinery and equipment, safe transport of goods or passengers and the provision of appropriate training and supervision in relation to health and safety on board.

2.2 The shipowner and the master are required to take all reasonable precautions to prevent marine incidents and occupational hazards, injuries and diseases on board the ship and to support and facilitate the work of the safety officials of the ship in carrying out occupational health and safety functions.

2.3 Every crew member must take all reasonable care for the health and safety of themselves and other persons on board and support implementation of the health and safety policies on board. In addition, it is an offence for any person to interfere or misuse any system, process, equipment or apparatus provided onboard for the health and safety of the crew or vessel.

2.4 Where a marine incident occurs, the master of the vessel must report the incident to the MSO immediately ([mso@transport.gov.ie](mailto:mso@transport.gov.ie)) on becoming aware of the incident and provide the following details:

- Vessel name and official number,
- Vessel position,
- Number of people involved in the marine incident,
- Nature of any injuries to persons involved,
- Details of any damage to the ship or its equipment,
- Next port of call,
- Estimated date and time of arrival if at sea.

2.5 The shipowner and master are required to carry copies of the following documents on board the vessel:

- International Labour Office publication entitled, "Accident Prevention Onboard Ship at Sea and in Port" 2<sup>nd</sup> edition published in 1996 by ILO publications, Geneva or any updated edition, and
- Guidance on Eliminating Shipboard Harassment and Bullying, published by the International Chamber of Shipping and the International Transport Workers' Federation or any updated edition.

The number of copies to be carried on board will depend on the number of crew as set out in the Regulations, but there shall be a minimum of 2 copies onboard.

### **3. Safety Officials**

3.1 Under the Regulations, the shipowner is required to appoint a Safety Officer to be responsible under the Master of the ship to improve onboard safety and to develop and promote measures for the prevention of marine incidents.

3.2 On a ship with a crew of 5 or more, a Safety Committee must be established with the master as chairman. Officers should elect one safety representative and ratings from each department on board may elect a safety representative for each department, with general purpose ratings being regarded as included in the deck department. The master must maintain a record of the appointment of the Safety Officer, Safety Representative and Safety Committee in the Official Logbook of the vessel.

### **4. Safety Officer**

4.1 The Safety Officer is required to ensure that the shipowner's health and safety policies are complied with, to promote a culture of safety and to improve the safety awareness of the crew. They must also carry out risk assessments to identify any potential hazards to the crew, the vessel or the environment and maintain a Risk Assessment Register.

- 4.2 It is the duty of the Safety Officer to investigate every marine incident and identify all risks to occupational health and safety and make recommendations to the master in order to prevent a marine incident or recurrence of a marine incident.
- 4.3 The Safety Officer must investigate any complaint made by a crew member in relation to occupational health and safety and to stop any work that in their opinion may cause a marine incident or a marine casualty and immediately inform the master.
- 4.4 The Safety Officer must carry out occupational health and safety inspections of each accessible part of the vessel at least once every 3 months and make recommendations to the master relating to any deficiency concerning occupational health and safety.
- 4.5 The Safety Officer must maintain records describing the circumstances and detail of all marine incidents and make them available on request to a Safety Representative, the Safety Committee, the master, shipowner or the MSO.
- 4.6 In addition to the initial report provided by the master as set out under point 2.4 above, the Safety Officer must complete and sign the report form attached at Appendix 2 to this notice and submit it to the MSO.

## **5. Safety Representative**

- 5.1 A Safety Representative is permitted to participate in any of the investigations or inspections carried out by the Safety Officer and may consult with the master and the Safety Officer and make recommendations to them in relation to occupational health and safety and potential marine incidents.
- 5.2 A Safety Representative, through the Safety Committee may request that an investigation be carried out by the Safety Officer and inspect any records maintained by the Safety Officer in relation to occupational health and safety or the reporting of a marine incident.

## **6. Safety Committee**

- 6.1 The Safety Committee are tasked with promoting a culture of safety, to improve the standard of safety awareness among the crew and to make recommendations to the shipowner in relation to matters of occupational health and safety.
- 6.2 The Safety Committee must maintain a record of any meetings they hold or safety campaigns that they undertake. Where the committee makes representations to the master or shipowner, they must also maintain a record of such representations, any reply they receive, and any action taken on foot of such representations.
- 6.3 The Committee may request the Safety Officer to carry out an occupational health and safety inspection that they consider necessary and to report findings to them.

## 7. Other Responsibilities/Contact Details

7.1 The requirements under these Regulations with regard to reporting of marine incidents are in addition to the reporting obligations as set out in [Marine Notice 3 of 2013](#). Shipowners are responsible for ensuring the master and crew are aware of their obligations under other Irish health and safety legislation, including any other reporting requirements.

7.2 The requirements under these Regulations do not relieve the obligation to provide reports to the Marine Casualty Investigation Board as required by the Merchant Shipping (Investigation of Marine Casualties) Act 2000, adapted by the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 (as amended).

These reporting requirements apply to casualties and incidents that:

- (a) involve Irish ships, irrespective of the location of the casualty,
- (b) occur within the territorial waters of the state, or
- (c) involve other substantial interests of the state, irrespective of the location of the casualty or incident and of the flag of the ship or ships involved.

These reports should be sent to the contact details below.

- Marine Casualty Investigation Board  
Leeson Lane,  
Dublin 2  
D02
- Tel: +353 (0) 1 6783485 or +353 (0) 1 6783486  
Fax: +353 (0) 1 6783493  
Email: [info@mcib.ie](mailto:info@mcib.ie)

Irish Maritime Administration,  
Department of Transport,  
Leeson Lane, Dublin 2, D02 TR60, Ireland.

12/09/2023

Encl: Appendix 1 – Definitions  
Appendix 2 – Incident Reporting Form.

For any technical assistance in relation to this Marine Notice, please contact:  
The Marine Survey Office, email: [MSO@transport.gov.ie](mailto:MSO@transport.gov.ie).  
For general enquiries, please contact the Maritime Safety Policy Division, email:  
[MaritimeSafetyPolicyDivision@transport.gov.ie](mailto:MaritimeSafetyPolicyDivision@transport.gov.ie).  
Written enquiries concerning Marine Notices should be addressed to:  
Dept. of Transport, Maritime Safety Policy Division, Leeson Lane, Dublin 2, D02 TR60, Ireland.  
email: [MarineNotices@transport.gov.ie](mailto:MarineNotices@transport.gov.ie) or visit us at: [www.gov.ie/transport](http://www.gov.ie/transport).

## Appendix 1 – Definitions

Under the Regulations, a marine incident is defined as follows:

“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, it does not include a deliberate act or omission, with the intention to cause harm to the safety of the ship, an individual or the environment.

A marine casualty is defined as follows:

“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 operation 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;
- 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,

but 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.

## Appendix 2 – Form for reporting of Marine Incidents



**An Roinn Iompair**  
Department of Transport

1. Completion of this form is required by the Merchant Shipping (Safety Officials and Reporting of Marine Incidents) Regulations 2023 (S.I. No. 441 of 2023).
2. One form should be completed for each reportable marine incident.
3. The Form should be returned promptly to the Marine Survey Office, Department of Transport, Leeson Lane, Dublin 2, D02 TR60 or emailed to [mso@transport.gov.ie](mailto:mso@transport.gov.ie).

<b>Section A: Details of Reporting Official:</b>	
<b>Name:</b>	
<b>Position:</b>	
<b>Company Name and Address:</b>	
<b>Contact Details:</b>	

<b>Section B: Information on the Vessel</b>
Vessel Name:
IMO Number:
Call Sign:
Type of Ship:
MMSI Number:
Vessel Owner Name and Address:
Port of Origin:
Last Port of Call:
Position of Ship at Time of Incident:
Proposed Date and Time of Arrival:

**Section C: Details of Incident**

Type of incident (Injury/Damage to Vessel/Damage to the Environment/Near Miss):

Cause(s) of incident:

Number of people involved:

Did the incident result in injury to any person?	YES	NO	(Delete as appropriate)
Did the incident result in damage to the ship?	YES	NO	(Delete as appropriate)
Did the incident result in damage to the ship's equipment?	YES	NO	(Delete as appropriate)

**Section D: Events Leading to the Incident**

Give a brief description of the sequence of events leading up to the incident:

**Section E: Description of Incident**

Give a brief description of the details of the incident:

### Section F: Safety Review

Provide details of immediate actions and any further steps taken or to be taken to ensure similar marine incidents may be avoided and any safety factors arising from the event:

### Section G: Safety Improvements

Provide details of any improvements in supervision, training or maintenance or other safety measures or recommendations that have been implemented.

### Section H: Declaration

We declare that the marine incident has been investigated and the information contained in this report form is correct to the best of our knowledge:

Signed:

Master/Senior Officer:

Name (BLOCK CAPITALS):

Date:

Signed:

Safety Officer:

Name (BLOCK CAPITALS):

Date:



## Section I: Safety Representative

If there is an elected safety representative on board the vessel, he or she must be shown the completed report and be permitted to provide any comments in the space below.

Signed:

Safety Representative:

Name (BLOCK CAPITALS):

Date: