

Palau International Ship Registry



Europe Head Office Piraeus, 18536, Greece 5, Sachtoura Street 6 th floor T: +30 210 4293500 F: +30 210 4293505 info@palaureg.com	USA Head Office The Woodlands, TX, 77380 9595 Six Pines Drive, Suite 8210, Office 277 T: +1 832 631 6061 F: +1 832 631 6001 www.palaureg.com
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MARINE NOTICE 215.3

To: ALL SHIPOWNERS, MANAGERS, MASTERS, AND REGISTRATION OFFICERS OF MERCHANT SHIPS AND RECOGNIZED ORGANIZATIONS

Subject: MANDATORY REQUIREMENTS FOR INVESTIGATION OF MARINE CASUALTIES AND MARINE INCIDENTS

1. REFERENCE

- 1.1 Resolution A.987(24) Adopted on 1 December 2005 *GUIDELINES ON FAIR TREATMENT OF SEAFARERS IN THE EVENT OF A MARITIME ACCIDENT*
- 1.2 Resolution A.884(21) adopted on 25 November 1999 *AMENDMENTS TO THE CODE FOR THE INVESTIGATION OF MARINE CASUALTIES AND INCIDENTS (Resolution A.849(20))*
- 1.3 Resolution A.849(20) adopted on 27 November 1997 *CODE FOR THE INVESTIGATION OF MARINE CASUALTIES AND INCIDENTS*
- 1.4 Resolution MSC.255(84) (adopted on 16 May 2008) *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)*
- 1.5 Resolution A.996(25) Adopted on 29 November 2007 *CODE FOR THE IMPLEMENTATION OF MANDATORY IMO INSTRUMENTS, 2007*
- 1.6 MSC/Circ.1014 12 June 2001 *GUIDANCE ON FATIGUE MITIGATION AND MANAGEMENT*
- 1.7 MSC/Circ.1015 12 June 2001 *REPORTING NEAR MISSES*
- 1.8 Resolution LEG.3(91) adopted on 27 April 2006 *ADOPTION OF GUIDELINES ON FAIR TREATMENT OF SEAFARERS IN THE EVENT OF A MARITIME ACCIDENT*

2. GENERAL REQUIREMENTS

- 2.1 These Mandatory Requirements prescribe the procedure to conduct **Marine Safety Investigations (MSI)** after a marine accident, incident or casualty shall take place.
- 2.2 The purpose of an MSI is to ensure maritime safety and protection of the marine environment through a systematic Safety Investigation of Marine Casualties and Incidents, and then recommending or effecting change in the maritime system to correct these deficiencies.
- 2.3 It is not the purpose of a safety investigation to determine liability or apportion blame.
- 2.4 An MSI should be separate from, and independent of, any other form of investigation including for actions in civil, criminal and administrative proceedings.



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3. APPLICABILITY

These Mandatory Requirements applies, as far as national laws allow, to the investigation of marine casualties or incidents where either one or more interested Flag States have a substantial interest in a marine casualty involving a ship under their jurisdiction.

4. DEFINITIONS

4.1 When the following terms are used in the mandatory standards and recommended practices for MSI they have the following meaning.

- **“Administrator”** means the Palau International Ship Registry which is specifically delegated the Authority, power and functions under the Act to administer all matters pertaining to vessels registered with Palau Flag that are subject to the provisions of the Act, promulgate Rules and Regulations to carry out the provisions of the Act.
- **“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 MSI.
- **“Automatic Identification System (AIS)”** means an automated radio-technical system, which operates in the VHF range and which is used for the identification of ships and navigation equipment, the determination of the location thereof and mutual data exchange;
- **“Casualty Investigation Code”** means the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident, as adopted by International Maritime Organization (IMO) Resolution MSC.255(84), and as may be amended from time to time.
- **“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.
- **“Coastal State”** means a State in whose territory, including its territorial sea, a Marine Casualty or Marine Incident occurs.
- **“Exclusive economic zone”** means the exclusive economic zone as defined by article 55 of the United Nations Convention on the Law of the Sea.
- **“Flag State”** means a State whose flag a ship is entitled to fly.
- **“High seas”** means the high seas as defined in article 86 of the United Nations Convention on the Law of the Sea.
- **“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 MSI.



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- **“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.
- **“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 ships:
 - 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.
- **“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 Casualty or 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.
- **“Marine Safety Investigation (MSI)”** means an investigation 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 issuance of findings, conclusions and safety recommendations as necessary.
- **“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 MSI as mutually agreed in accordance with the present requirements.
- **“Seafarer”** means any person who is employed or engaged or works in any capacity on board a ship.
- **“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.
- **“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;



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- 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).
- **“Territorial sea”** means territorial sea as defined by Section 2 of Part II of the United Nations Convention on the Law of the Sea (UNCLOS).
 - **“Very serious marine casualty”** means a marine casualty involving the total loss of the ship or a death or severe damage to the environment. In relation to Section 1309 of the Act, the Administrator shall conduct a full investigation of a Marine Casualty classified as a Very Serious Marine Casualty.
 - **“Voyage data recorder (VDR)”** a ship device, which automatically records and stores information regarding movement parameters of the ship, the location of the ship, the physical state thereof, the surrounding environment, as well as records and stores conversations on the navigation bridge in the form of an audio recording;
 - **“Less Serious Casualty”**. A Less Serious Casualty (as defined in IMO MSC-MEPC.3/Circ.3) means a casualty to a vessel which do not qualify as “very serious casualty” or “serious casualty” and for the purpose of recording useful information. For a Less Serious Casualty, the Owner's or Officers' own investigation will be sufficient.
However, the Administrator may conduct an office-based investigation by correspondence and telephone to seek further details on the accident and may proceed to conduct a full investigation if there are important lessons to be learned.
 - **“Marine Situation”**. A Marine Situation is an event that is not classified as a Marine Casualty or Marine Incident but requires a marine investigation to be carried out. It includes an Offense Against the Internal Order of the Vessel, or any act, or failure to act that is contrary to the Act or Maritime Regulations including any Rules and Regulations made by law and those covered under any international conventions and agreements which the Republic of Palau is a Party or may become a Party in the future. This would include an act or intended act of armed robbery, piracy, hijacking, terrorism, barratry or revolt.
 - **“Offense Against the Internal Order of the Vessel”**. An Offense Against the Internal Order of the Vessel means any of the offenses specified in Section 845 of the Act.



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- **“Serious Casualty”**. A Serious Casualty (as defined in IMO MSC-MEPC.3/Circ.3) means a casualty to a vessel which do not qualify as “very serious casualty” and which involve a fire, explosion, collision, grounding, contact, heavy weather damage, ice damage, hull cracking, or suspected hull defect, etc., resulting in:
 1. immobilization of main engines, extensive accommodation damage, severe structural damage, such as penetration of the hull under water, etc., rendering the vessel unfit to proceed, or
 2. pollution (regardless of quantity); and/or
 3. a breakdown necessitating towage or shore assistance.For a Serious Marine Casualty, the Administrator shall conduct an office-based investigation by correspondence and telephone to seek further details on the accident and may proceed to conduct a full investigation if there are important lessons to be learned.
- **“Severe Pollution”**. Severe Pollution (as defined in IMO MEPC 37/22) means a case of pollution which, as evaluated by the coastal State(s) affected or the flag Administration, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.
- **“Investigation of Marine Incident”**. Although hazardous occurrences and near misses do not need to be reported by the Owner, but the Ship Registry Administrator encourages Owners and Masters to report them as important lessons can usually be learned from such incidents, which are just as relevant as those arising from accidents.
- **“Investigation of Marine Situation”**. The Administrator may conduct an investigation depending on the seriousness of the Marine Situation.

5. NOTIFICATION

- 5.1 When a Marine Casualty occurs on the high seas or in an exclusive economic zone of a Country, the Administrator, shall notify other Flag States affected as soon as is reasonably practicable.
- 5.2 Notification to other Flag States should be done promptly and shall not be delayed due to the lack of complete information.
- 5.3 An Initial Notification should be done by the Owner, charterer, managing operator, Master or agent of a vessel and shall notify the Ship Registry Administrator at the earliest possible time. The mode of notification should be by the fastest possible, including email, fax or telephone.
- 5.4 The Initial Notification shall contain as much of the following information:
 - The name of the ship and its Flag State



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- IMO Number
- Nature of marine casualty
- The location of the marine casualty;
- Time/date of marine casualty
- Consequences of marine casualty to individuals, properties and the environment
- The identification of any other involved ship
- Confirmation that port or coastal state authorities have been notified; and,
- Details for preferred contact, if other than the DPA.

6. DUTIES OF THE ADMINISTRATOR

Duties of the Administrator:

- 6.1 The Administrator upon receipt of a Report of Marine Casualty, Marine Incident or Marine Situation, may carry out an investigation to determine the possible cause(s) or contributing cause(s) and whether there has been any act of misconduct, negligence or violation of law or regulation, so that appropriate action can be taken.
- 6.2 The Administrator may appoint an independent investigator(s) and bestow him the authority as may be required to carry out the investigation. The independent investigator shall have the working knowledge and experience in the subject areas pertaining to the investigation.
- 6.3 The Administrator may also enter into memorandum of undertaking with other member States of IMO for cooperation and assistance between the parties in respect of marine investigation into a marine casualty or incident.
- 6.4 Report Retention.
All investigation reports, including reports submitted to IMO and their accompanying investigative files shall be kept by the Administrator for a period of five (5) years unless deemed of historical importance requiring that they be kept for such longer period as determined by the Administrator.

7. RESPONSIBILITY OF THE OWNER

- 7.1 Owners should be responsible of contacting Administrator with the Initial Notification after a Marine Incident, Accident or Casualty.
It is the responsibility and duty of the Owner to conduct an own investigation.
- 7.2 It is the duty of all owners and operators of vessels registered under Palau Flag to cooperate with the Administrator in the investigation of a Marine Casualty or a Marine Incident. Such cooperation includes: being interviewed; testifying orally or in writing; producing, when called upon, witnesses in their employ and relevant books, papers, documents and other Marine Safety Records in their possession; and permitting the Administrator or its duly designated representative(s) to board and examine vessels and their appurtenances.



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7.3 Failure on the part of the Owner to assist in the investigation or attempt to inhibit any marine investigation may result in the following:

- a) suspension or revocation of the Certificate of Registry of the vessel directly involved or to any other vessel under the same Ownership; and / or
- b) liability to be fined up to US\$25,000.

8. DUTIES OF SHIPBOARD PERSONNEL

Duties of Shipboard Personnel:

- It is the duty of Shipboard personnel to assist in an investigation conducted by the Administrator or person(s) authorized by him to carry out the investigation.
- Failure on the part of the shipboard personnel to assist in the investigation or attempt to inhibit any marine investigation may result in the following:
 - a) suspension or revocation of any Seafarer License or other certification held;
 - b) liability to be fined up to US\$25,000

9. VOYAGE RECORDS

The persons in charge of any vessel involved in a Marine Casualty shall retain for 2 years, or otherwise instructed by the Administrator, the complete records of the voyage during which the casualty occurred, as well as any other material, including the Voyage Data Recorder (VDR) information and other automatically recorded data, which might reasonably be of assistance in investigating and determining the cause and scope of the Marine Casualty.

10. QUALIFICATIONS AND TRAINING OF INVESTIGATORS

10.1 Marine Safety Investigations shall be conducted by Administrator which will appoint Marine Investigators to carry out the Marine Safety Investigation.

10.2 Marine Investigators appointed by Administrator based on the criteria outline on Resolution A.996(25), shall have expertise in Marine Casualty Investigation and be knowledgeable in matters relating to the Marine Casualty or Incident. Areas of expertise need to include evidence collection techniques, interviewing techniques, analysis techniques and the identification of human and organizational factors in Marine Casualties and Incidents.

10.3 All Marine Investigators attending a Marine Casualty site should have sufficient knowledge in personal safety, taking particular note that the hazards present at a casualty site may well be beyond those encountered in normal ship operations.

10.4 Administrator will provide Marine Investigators with required documentation including Checklists and Report formats for carrying out Marine Safety Investigations.



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10.5 It is mandatory that Marine Investigator(s) carrying out a Marine Safety Investigation are impartial and objective. The Investigator shall be able to report on the results of a MSI without direction or interference from any persons or organizations who may be affected by its outcome.

10.6 Appointed Marine Investigators have the right to obtain all the information necessary thereto and

- 10.6.1 Have free access to any relevant area, ship (including any place on the ship), as well as to the wreck of the ship;
- 10.6.2 Perform listing of items related to the Marine Casualty or Incident (for example, polluting substances or ship parts) and collection for further analysis thereof;
- 10.6.3 Have free access to any documents, including log book, expert opinions, examination deeds of Classification Societies and institutions performing control functions, as well as copy and have use of these documents (entries made by electronic information carriers (for example, VDR and AIS) and itemised list thereof, as well as audio recordings and video recordings shall be deemed documents in the sense of evidence);
- 10.6.4 Interview witnesses in the absence of any person whose interests could be considered as hampering the discovering of the causes of the relevant casualty or incident;
- 10.6.5 Call for and receive the assistance of seafarers, other persons related to the casualty, as well as employees of the relevant State Authorities, including flag-State and port-State surveyors, coastguard officers, vessel traffic service operators, employees of search and rescue teams, pilots and other persons;
- 10.6.6 Make video recordings and audio recordings during investigatory activities;
- 10.6.7 Request the performance of an expert-examination of the items related to the Marine Casualty or Incident (for example, polluting substances or ship parts).

11. INVESTIGATIONS

11.1 After receipt of a Notification regarding a Marine Casualty or a Marine Incident, a preliminary Marine Safety Investigation shall be conducted by the Administrator so that the Marine Casualty or Marine Incident may be evaluated and categorized to provide for subsequent, appropriate action to be taken by the Administrator in accordance with the Casualty Investigation Code and these mandatory requirements.

11.2 If a very serious Marine Casualty has occurred a Marine Safety Investigation is to be carried out mandatorily.

11.3 If a serious Marine Casualty, less serious Marine Casualty or Marine Incident has occurred, the Administrator will assess the usefulness of a Marine Safety Investigation, considering the level of seriousness of the Marine Casualty or Incident, the type of the



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ships and cargo involved, as well as whether the results of the relevant investigation may help to prevent Marine Casualties and Incidents in the future.

11.4 If Administrator, in accordance with section 10.3, takes a decision not to conduct a Marine Safety Investigation, it may assign the conducting of the relevant investigation to the shipping company of the ship involved in the Marine Casualty or Incident, which hands over the materials on the relevant Marine Casualty or Incident to Administrator, after the investigation has ended.

11.5 A Marine Safety Investigation should be unbiased to ensure the free flow of information to it and in order to achieve independence, the investigator(s) carrying out a MSI should have functional impartiality from:

- the parties involved in the Marine Casualty or Marine Incident;
- 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;
- judicial proceedings

11.6 An Investigation shall be commenced as soon as possible, but not later than two months after the relevant Marine Casualty or Incident has taken place

11.7 The Investigation can include inspection of the ship/ships involved, fairway where the Casualty or Incident occurred, underwater survey and filming of the wreckage of a ship. Photo and/or video of the site, before any removal of evidence, is a high priority.

11.8 During the Marine Safety Investigation, investigators should aim to gather and record all the evidence and factual data which may be of interest within the scope of the Investigation. Physical and documentary evidence and witness statements should be gathered not only at the casualty site, but also from all sources required to fully explain the accident events and their contributing factors (e.g. operation, management, inspection and regulation).

11.9 Evidence collection also needs to be broad enough to cover the human, organizational and environmental factors in relation to the Casualty or Incident. If a human and organizational factor specialist is required, it is essential to include this expert as early as possible in the investigation team.

11.10 Marine Investigators shall interview persons as soon as possible after a Marine Casualty or Incident. Particularly it shall be taken into consideration in relation to seafarers so that not to delay the operations of the ship or repatriation of seafarers.

11.11 Before interviewing a person, the Marine Investigators shall inform him or her regarding the substance and foundation of the investigation, as well as regarding:

10.11.1 The potential risk that the person may be incriminated criminal acts due to the interview which he or she will give within the scope of the investigation;

10.11.2 The right not to testify against himself or herself or not to give an interview at all;

10.11.3 Protection, which the person may receive so that the interview given by him or her within the scope of the investigation is not used against this person.



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11.12 Administrator shall provide the person to be interviewed with an opportunity to receive legal advice in relation to the risk referred in section 10.11 above and the consequences arising therefrom.

11.13 Parallel Investigations can occur when separate MSI are undertaken by two or more Flag States at the same time. The Administrator shall seek, where possible, to coordinate the timing of its investigations with those of either the Marine Safety Investigating State or other

Substantially Interested State(s) to avoid conflicting demands upon witnesses and to provide for reasonable access to evidence.

12. INTERNATIONAL COOPERATION

12.1 If the Casualty or Incident involves substantial interests of more than one State, the States should quickly reach an Agreement on Cooperation. This Agreement may include, but not be limited to:

- a) ensuring that the objectives of each participating State is in accordance with the Casualty Investigation Code;
- b) which State will lead the investigation;
- c) the possibilities to share casualty information and draft Safety Investigation reports in accordance with chapter 13 of the Code, with regard to National Legislation on confidentiality as well as the potential risk of safety investigation findings being used in criminal and civil lawsuits; and
- d) distribution of costs related to the Investigation, if applicable.

12.2 If in accordance with the Agreement referred in section 11.1 above, the Administrator has become the lead investigating State:

11.2.1 Administrator upon conducting the relevant Investigation, shall co-operate with the competent Authorities of other substantially interested States, including shall take into account the opinion of such Authorities;

11.2.2 Within the scope of the relevant Investigation the competent Authorities of other substantially interested States have the same rights as Administrator.

12.3 If an Agreement cannot be reached, Administrator, together with the other involved States should seek to share factual information to the greatest extent possible.

12.4 Administrator, upon mutual Agreement with the competent Authority of another State, may delegate the Authority to perform the management of the relevant Investigation or a separate task related thereto.

13. REVIEWING OF DOCUMENTS, PROCEDURES AND RECORDS



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13.1 Documents to be reviewed can include personal and ship-related Certificates, reports from the ship's Classification Society, maintenance records, the Master's standing orders, etc. An assessment may also be made of the company's Safety Management System from its safety policy through to its implementation within the organization.

13.2 Inspection of Casualty Site can include inspection of the ship/ships involved, fairway where the casualty or incident occurred, underwater survey and filming of the wreckage of a ship. Photo and/or video of the site, before any removal of evidence, is a high priority.

13.3 Gathering or Recording Physical Evidence can include data from VDR, electronic charting systems, central fire alarm units, nautical charts, weather forecasts, obtained on board and logbooks. Physical evidence can also include technical samples of oil, paint or fire residues, broken parts etc. Also, information from CCTVs, VTS, AIS, etc.

14. REPORTING

14.1 Preliminary MSI Report shall be sent by the Marine Investigator should be received within 30 days from the start of the investigation. Administrator will review the draft and provide any additional information or assistance for the Final Report to be issued.

14.2 The Marine Investigator together with Administrator, shall prepare an Investigation Report on the Investigation conducted in accordance with this Regulation.

14.3 If during an Investigation, Administrator, establishes that the results of the relevant Investigation (except Investigation into very serious and serious Marine Casualties) cannot help in achieving the objective of the Investigation, Administrator, may prepare a Formal Notification, not including a detailed Analysis and Recommendations therein.

14.4 The Marine Investigator shall submit the final version of the Casualty Report to Administrator. The Administrator will review the Report and submit to the IMO as deem necessary. The final Report should be submitted within 12 months after the relevant Marine Casualty or Incident.

14.5 A copy the Report shall be sent to:

- The subjects involved in the casualty;
- the subjects to whom safety recommendations are addressed;
- any other subject, which in the opinion of the Administrator could find the report useful;
- to the International Maritime Organization;

14.6 Report of Marine Casualty, Marine Incident or Marine Situation

- After the initial notification as stated in paragraph 4.3 above, the Owner shall forward to the Administrator or an official who is authorized to act for and on behalf of the



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Administrator, a copy of the Report of Marine Casualty, Marine Incident or Marine Situation in the form

prescribed in Annexes I/II that has been completed and signed by the Master or the next officer in command of the vessel or the Owner. A Report of Marine Casualty, Marine Incident or Marine Situation shall be submitted whenever there is:

- loss of life or major injury to any person causing the person to remain incapacitated for a period in excess of 72 hours;
- the actual or presumed loss or abandonment of a vessel;
- collision or grounding, disablement of vessel
- material damage to any property, which includes damage to the vessel and/or to fixed or floating objects in excess of US\$100,000;
- failure of gear and equipment and any other damage which might affect or impair the seaworthiness of the vessel;
- all casualties involving life-saving appliances whether or not there are injuries or loss of life or whether used for drills or emergencies;
- spillage of 50 tons or more of oil or harmful substances;
- hazardous occurrences and near misses may be provided if there are important lessons to be learned;
- an act or intended act of armed robbery, piracy, hijacking, or terrorism; and
- An Offense Against the Internal Order of the Vessel if any;
- Fire
- Explosion
- Where there is a failure to execute and file a report as required, the Master and Owner shall each be liable to a fine of US\$5,000 and US\$25,000 respectively upon notice from the Administrator.
- In all cases, the Master or shipowner shall submit a report to the Administrator of any instance of an offence or criminal act.

14.7 a) Preliminary Report

When the proceedings of any investigation have been concluded, there shall be a preliminary report produced by either the investigator(s), who can either be an independent party or a staff from the office of the Administrator. This report would include preliminary findings, conclusions, and any recommendations for appropriate action. The Administrator may also forward this preliminary report to Interested Parties at his discretion senior.

b) Final Report

The Administrator may:

- (1) Adopt the preliminary report as the final report and carry out its recommendations, if any; or
- (2) Return the preliminary report to the investigator for further investigation or revision as appropriate.



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Europe Head Office Piraeus, 18536, Greece 5, Sachtouri Street 6 th floor T: +30 210 4293500 F: +30 210 4293505 info@palaureg.com	USA Head Office The Woodlands, TX, 77380 9595 Six Pines Drive, Suite 8210, Office 277 T: +1 832 631 6061 F: +1 832 631 6001 www.palaureg.com
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c) Submission to IMO

- (1) The Administrator shall submit a final full investigation report to IMO for:
 - every “Very Serious Marine Casualty” of a vessel registered under these Regulations or, if conducting an investigation of a “Very Serious Marine Casualty as a “Substantially Interested State”, as defined in IMO’s “Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident” and in accordance with IMO Resolution MSC 55(84).
 - other Marine Casualties and Marine incidents where there are important lessons to be learned and which may prevent or mitigate the severity of such Marine Casualties or Marine Incidents in the future.
- (2) The Ship Registry Administrator shall submit the following to IMO:
 - information as per Annexes 1, 2 and 3 of the attached reporting formats in MSC-MEPC.3/Circ.3 for “Very Serious Marine Casualty” and “Serious Marine Casualty”.
 - information as per Annex 10 of the attached reporting format in MSC-MEPC.3/Circ.3 for all casualties involving lifesaving appliances whether or not there are injuries or loss of life or whether used for drills or emergencies.
- (3) Should the Administrator, during the course of an investigation, be hindered due to the withholding of information, which may frustrate, delay or prevent the submission of a full investigation report to the IMO as required, nothing contained in these Requirements shall stop the Administrator from submitting an interim report of causal factors as they may appear along with recommendations based upon the information available to satisfy this obligation.

15. NON-DISCLOSURE INFORMATION

15.1 Administrator shall not disclose the following information:

14.1.1 the details obtained during interviewing persons;

14.1.2 information allowing to identify the person who has given the interview or the person who is involved in the marine casualty or incident;

14.1.3 sensitive personal data;

14.1.4 information contained in photographs, audio recordings, video recordings, recordings of the voyage data recorder (VDR) (except if they have been appended to the report). The information contained in recordings of the voyage



Palau International Ship Registry



Europe Head Office
Piraeus, 18536, Greece
5, Sachtoura Street
6th floor
T: +30 210 4293500
F: +30 210 4293505
info@palaureg.com

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001
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data recorder (VDR) shall be disclosed to law enforcement institutions upon their request.

15.2 While the Report has not been completed, PISR shall disclose only general facts already ascertained about the Marine Casualty or Incident that has occurred (what, where, when happened and what are the consequences of the relevant event).

15 CONTACT DETAILS

15.1 Every Marine Casualty is to be reported to the Administration at MSI@palaureg.com as soon as possible.

Any further information request and inquiries concerning the 'INVESTIGATION OF MARINE CASUALTIES OR INCIDENTS' should be directed to the Head Office of Palau International Ship Registry (www.Palaureg.com)

16 Notice: Attachments:

- **ANNEX I – Marine Casualty Report**
- **ANNEX II – Personal Injury Report Loss of Life**
- **ANNEX III – Wind Force (Beaufort Scale)**
- **ANNEX IV – Sea State (Douglas Scale, Visibility Scale and Light Scale)**
- **ANNEX V – Specific Information Required**

Click [here](#) or use the below QR Code for the list of the last updated Marine Notice



Palau International Ship Registry



Europe Head Office
Piraeus, 18536, Greece
5, Sachtouri Street
6th floor
T: +30 210 4293500
F: +30 210 4293505
info@palaureg.com

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001
www.palaureg.com

ANNEX I - Marine Casualty Report



MARINE CASUALTY REPORT

Europe Head Office
5, Sachtouri Street
Piraeus, Greece,
18536, 6th floor
T: +30 210 4293500
F: +30 210 4293505

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001

REPORT OF MARINE INCIDENT OR MARINE CASUALTY INSTRUCTIONS

1. An original of this form shall be submitted to Palau International Ship Registry as soon after the occurrence of the casualty as possible.
2. This form must be completed in full. Entries which do not relate to a particular case should be indicated as not applicable by inserting the initials "N/A".
3. This form should be completed by the Master or person in charge, or, if neither is available, by the owner or his duly authorized agent.
4. The crew list and copy of valid statutory certificates should be attached to this form.
5. An additional form (PERSONAL INJURY REPORT OR LOSS OF LIFE) is to be submitted for each person killed or injured and incapacitated in excess of 72 hours as a result of the vessel casualty reported herein.

PART 1. VESSEL PARTICULARS

Vessel Name:		IMO Number:	
Vessel Flag:		Vessel Type:	
Port of Registry:		Call Sign:	
Year of Build:		Keel Laying Date:	
Country/City of Build:		Builder/Shipyard:	
Date of Conversion:		Place of Conversion:	
Hull Material:		Decks:	
Length:		Depth:	
Breadth:		Net Tonnage:	
Gross Tonnage:		Deadweight:	
Propeller Power (Kw):		Number of Engines:	
Engine Maker:		Type of Engines:	
Propulsion Type:	<input type="checkbox"/> Propeller / <input type="checkbox"/> Non-Propeller		
Dynamain Position Fitted:	<input type="checkbox"/> Yes / <input type="checkbox"/> No		

PART 2. OWNERS AND BAREBOAT CHARTER(S) PARTICULARS

2.1 INDIVIDUAL OR COMPANY OWNER(S) PARTICULARS

	First (or only) Owner	Second Owner	Third Owner
--	-----------------------	--------------	-------------



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6th floor
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USA Head Office
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Owner Name			
IMO ID			
Address			
Town/City			
Country			
Post/Zip Code			
Telephone			
Fax			
Email			
Ownership(100%)			

2.2 BAREBOAT CHARTERS

	First (or only) Bareboat Charterer	Second Bareboat Charterer	Third Bareboat Charterer
BBC Name			
IMO ID			
Address			
Town/City			
Country			
Post/Zip Code			
Telephone			
Fax			
Email			

PART 3. CLASSIFICATION AND RECOGNIZED ORGANIZATION

Classification Society:	
Recognized Organization:	

PART 4. INTERNATIONAL SAFETY MANAGEMENT (ISM)

Is ISM Applicable? Yes No Voluntary

Appointed RO to Issue ISM DOC and SMC:	
--	--

4.1 ISM COMPANY DETAILS

ISM Company Name	
IMO ID	



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Address	
Town/City	
Country	
Post/Zip Code	
Telephone	
Fax	
Email	

4.2 DESIGNATED PERSON ASHORE (DPA) DETAILS

Name:	
24 Hours Telephone	
Email	

4.3 ALTERNATE DESIGNATED PERSON ASHORE (ADPA) DETAILS

Name:	
24 Hours Telephone	
Email	

4.4 DESIGNATED PERSON (DP) DETAILS

(IN CASE OF VOLUNTARY ISM COMPLIANCE)

Name	
24 Hours Telephone	
Email	

4.5 ALTERNATE DESIGNATED PERSON (ADP) DETAILS

(IN CASE OF VOLUNTARY ISM COMPLIANCE)

Name:	
24 Hours Telephone	
Email	

PART 5. INTERNATIONAL SHIP AND PORT SECURITY (ISPS)

Is ISPS Applicable? Yes No Voluntary

Appointed RSO to Issue ISSC: _____



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5, Sachtouri Street
6th floor
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USA Head Office
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9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
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5.1 COMPANY SECURITY OFFICER (CSO) DETAILS

Name of CSO	
Address	
Town/City	
Country	
Post/Zip Code	
24 Hours Telephone	
Fax	
Email	

5.2 ALTERNATE COMPANY SECURITY OFFICER (ACSO) DETAILS

Name of Alternate CSO	
Address	
Town/City	
Country	
Post/Zip Code	
24 Hours Telephone	
Fax	
Email	

PART 6. MARITIME LABOUR CONVENTION, 2006 (MLC)

Yes No Voluntary

Is MLC Applicable?

Appointed RO to Issue MLC:

PART 7. MASTER OR PERSON IN CHARGE PARTICULARS

Master Name	
Master Surname	
Date of Birth	
License Grade:	
License Number:	
Citizenship	
Telephone	
Fax	
Email	



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6th floor
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USA Head Office
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9595 Six Pines Drive,
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T: +1 832 631 6061
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PART 8. MARINE INCIDENT OR MARINE CASUALTY PARTICULARS

Incident Date:		Local Time:	
Casualty Location:		Body of Water:	
Port of Departure: (if incident occurred underway)		Date of Departure:	
Scheduled Arrival Port:		Estimated Date of Arrival:	
Nature of Cargo (Dry, Bulk Liquid, Deck Cargo, etc) and amounts in Tons			
Speed in knots prior to Casualty		Draft Forward and Aft	

CONDITIONS DURING INCIDENT

Time of Day	Atmospheric Conditions		Visibility
<input type="checkbox"/> Day <input type="checkbox"/> Night <input type="checkbox"/> Twilight	<input type="checkbox"/> Clear/Partly Cloudy <input type="checkbox"/> Overcast <input type="checkbox"/> Fog	<input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Other:	<input type="checkbox"/> Less than 1 NM <input type="checkbox"/> 1-2 NM <input type="checkbox"/> 2-5 NM <input type="checkbox"/> Over 5 NM
Wind Force:		Direction:	
Swell Height		Direction:	

Navigation Equipment (Check as applicable)	Radar	<input type="checkbox"/> Operational	<input type="checkbox"/> Used
	ARPA	<input type="checkbox"/> Operational	<input type="checkbox"/> Used
	ECDIS	<input type="checkbox"/> Fitted	<input type="checkbox"/> Primary Chart
		<input type="checkbox"/> Operational	

Communication Equipment (Check as applicable)	Radiotelephone	<input type="checkbox"/> In use with other vessels
		<input type="checkbox"/> In use with shore stations
		<input type="checkbox"/> Not Used
	DSC Alert	<input type="checkbox"/> Transmitted
		<input type="checkbox"/> Acknowledge by another vessel
		<input type="checkbox"/> Acknowledge by Shore Station

Voyage Data Records (VDR / SVDR)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
----------------------------------	------------------------------	-----------------------------



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 Piraeus, 18536, Greece
 5, Sachtouri Street
 6th floor
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Manufacturer / Model	
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Rules of the Road Applicable at Time of Casualty	<input type="checkbox"/> International/COLREG <input type="checkbox"/> Other (Specify)
--	---

Deck Officer on Duty at time of Incident	
Name:	
License Grade:	
License Number:	

Engineer Officer on Duty at time of Incident		
Name:		
License Grade:		
License Number:		
In UMS Mode	<input type="checkbox"/> Yes	<input type="checkbox"/> No

PART 9. NATURE OF INCIDENT OR CASUALTY
 (CHECK ONE OR MORE AS APPLICABLE)

- | | | | | | | | | | | |
|--------------------------|---|--------------------|--------------|--|--------------------|--------------|--|--------------------|--------------|--|
| <input type="checkbox"/> | Collision with another Vessel(s): Provide Name and Flag of other vessels: | | | | | | | | | |
| | <table border="1" style="width:100%"> <tr> <td style="width:30%">Other Vessel Name:</td> <td style="width:30%">Vessel Flag:</td> <td style="width:40%"></td> </tr> <tr> <td>Other Vessel Name:</td> <td>Vessel Flag:</td> <td></td> </tr> <tr> <td>Other Vessel Name:</td> <td>Vessel Flag:</td> <td></td> </tr> </table> | Other Vessel Name: | Vessel Flag: | | Other Vessel Name: | Vessel Flag: | | Other Vessel Name: | Vessel Flag: | |
| Other Vessel Name: | Vessel Flag: | | | | | | | | | |
| Other Vessel Name: | Vessel Flag: | | | | | | | | | |
| Other Vessel Name: | Vessel Flag: | | | | | | | | | |
| <input type="checkbox"/> | Contact with Floating, submerged or fixed Object: Please specify: | | | | | | | | | |
| <input type="checkbox"/> | Fire / Explosion | | | | | | | | | |
| <input type="checkbox"/> | Main Engine Malfunction / Failure | | | | | | | | | |
| <input type="checkbox"/> | Over-pressurization / Implosion | | | | | | | | | |
| <input type="checkbox"/> | Ice Damage | | | | | | | | | |
| <input type="checkbox"/> | Grounding / Stranding | | | | | | | | | |
| <input type="checkbox"/> | Steering Malfunction / Failure | | | | | | | | | |
| <input type="checkbox"/> | Sinking | | | | | | | | | |
| <input type="checkbox"/> | Machinery Damage (auxiliaries, boilers, electrical) | | | | | | | | | |
| <input type="checkbox"/> | Loss of Stability / Compromised Stability | | | | | | | | | |
| <input type="checkbox"/> | Material Damage (ship structure) | | | | | | | | | |



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 Piraeus, 18536, Greece
 5, Sachtouri Street
 6th floor
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USA Head Office
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- Flooding
- Critical Equipment Failure / Damage (Lifesaving, etc)
- Heavy weather Damage
- Environmental Incident
- Other incident / Casualty (Describe)

PART 10. CAUSE OF INCIDENT/CASUALTY (CHECK ONE OR MORE AS APPLICABLE)

- Personnel Fault
- Failure to comply with Regulations
 - Failure to obtain ship's position or course
 - Improper watchkeeping or lookout
 - Improper maintenance
 - Incorrect operation
 - Failure to secure closing arrangements
 - Improper stowage of cargo
 - Improper loading or overloading
 - Incorrect ballasting
 - Negligence
 - Illicit smoking or use of smoking materials or uncontrolled use of heat source
 - Inadequate training
 - Unable to fulfil duties
 - Other:

- Failure of ship, its machinery or equipment
- Propulsion machinery
 - Essential ancillary
 - Steering gear
 - Navigational or communication equipment
 - Closing arrangements
 - Structural failure
 - Hull fittings or shaft seals
 - Subdivision arrangements
 - Bilge pumping



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6th floor
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F: +30 210 4293505
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USA Head Office
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9595 Six Pines Drive,
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T: +1 832 631 6061
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<input type="checkbox"/>	Spontaneous combustion
<input type="checkbox"/>	Component failure
<input type="checkbox"/>	Other:

Not related to ship

<input type="checkbox"/>	Force of wind, tide or current
<input type="checkbox"/>	Failure to provide instructions, charts or nautical publications
<input type="checkbox"/>	Failure of aids to navigation
<input type="checkbox"/>	Uncharted obstruction
<input type="checkbox"/>	Weather damage
<input type="checkbox"/>	Faulty design or construction
<input type="checkbox"/>	Blame (in whole or part) attributed to third party
<input type="checkbox"/>	Arson
<input type="checkbox"/>	Unknown
<input type="checkbox"/>	Other:

PART II. PERSONEL

	Crew	Passenger	Other	Totals
Number on Board				
Number Known Dead				
Number Missing				
Number Injured				

PART 12. ENVIROMENTAL INCIDENTS

(COMPLETE ONLY FOR ACTUAL OR POTENTIAL RELEASES)

<input type="checkbox"/> Bunkers	<input type="checkbox"/> Ship's Stores	<input type="checkbox"/> Cargo
<input type="checkbox"/> Other (Specify)		
Material Released:		
Quantity (m ³ /tonnes):		
Is Vessel a total loss?	<input type="checkbox"/> Yes	<input type="checkbox"/> No



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6th floor
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USA Head Office
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9595 Six Pines Drive,
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T: +1 832 631 6061
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PART 13. DESCRIPTION OF CASUALTY -

PLEASE DESCRIBE WHAT HAPPENED, INCLUDING THE SEQUENCE OF EVENTS LEADING TO THE CASUALTY. ATTACHED DIAGRAM AND ADDITIONAL SHEETS IF NECESSARY.

PART 14. VESSEL OPERATOR'S INVESTIGATION / REVIEW

Not Planned In Progress Completed

Note: Completion of section 14 and 15 are not necessary at this time if the Operator's Investigation is in progress. The information can be submitted to Palau International Ship Registry once the investigation is completed.

PART 15. CASUALTY ANALYSIS / LESSONS LEARNED

PLEASE DESCRIBE WHY THE CASUALTY HAPPENED AND LESSONS LEARNED. ATTACHED ADDITIONAL SHEETS IF NECESSARY.

PART 16. CORRECTIVE / PREVENTIVE ACTIONS

PLEASE DESCRIBE CORRECTIVE ACTIONS TAKEN AFTER THE INCIDENT AND/OR THOSE THAT ARE PLANNED TO BE TAKEN IN ORDER TO PREVENT SIMILAR INCIDENTS AS WELL AS ANY RECOMMENDATIONS FOR THE ADMINISTRATOR.

Date of Report:	
Submitted by (Print Name):	
Signature:	
Title:	



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Piraeus, 18536, Greece
5, Sachtouri Street
6th floor
T: +30 210 4293500
F: +30 210 4293505
info@palaureg.com

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001
www.palaureg.com

ANNEX II - Personal Injury Report Loss of Life



PERSONAL INJURY REPORT OR LOSS OF LIFE

Europe Head Office
5, Sachtouri Street
Piraeus, Greece,
18536, 6th floor
T: +30 210 4293500
F: +30 210 4293505

USA Head Office
The Woodlands, TX, 77380
9595 Six Pines Drive,
Suite 8210, Office 277
T: +1 832 631 6061
F: +1 832 631 6001

INSTRUCTIONS

1. An original of this form shall be submitted to Palau International Ship Registry as soon after the occurrence of the casualty as possible.
2. This form must be completed in full. Entries which do not relate to a particular case should be indicated as not applicable by inserting the initials 'N/A'.
3. This form should be completed by the Master or person in charge, or, if neither is available, by the owner or his duly authorized agent.
4. The crew list and copy of valid statutory certificates should be attached to this form.

PART 1. VESSEL PARTICULARS

Vessel Name:		IMO Number:	
Vessel Flag:		Vessel Type:	
Port of Registry:		Call Sign:	

PART 2. OWNER AND OPERATOR PARTICULARS

Owner Name		Operator Name	
IMO ID		IMO ID	
Address		Address	
Town/City		Town/City	
Country		Country	
Post/Zip Code		Post/Zip Code	
Telephone		Telephone	
Fax		Fax	
Email		Email	

PART 3. PARTICULARS OF THE PERSON(S) INJURED, DECEASED OR MISSING

Name/Surname	Nationality	Age	Injury Description	Date of Birth	Status or Capacity	Contact Details
--------------	-------------	-----	--------------------	---------------	--------------------	-----------------



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 6th floor
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					on Vessel	

PART 4. MARINE INCIDENT OR MARINE CASUALTY PARTICULARS

Date of Casualty:		Local Time:	
Location of vessels at time of casualty:		Body of Water:	
Port of Departure: (if incident occurred underway)		Date of Departure:	
Scheduled Arrival Port:		Estimated Date of Arrival:	
Result of Casualty	<input type="checkbox"/> Injury	<input type="checkbox"/> Death	<input type="checkbox"/> Missing
Nature of Injury		Total Days Incapacitated (72 hours or more)	
Reason of Death:			
Location of the Individual at Death:		Date of Death:	
Witnesses to Accident (at least two (2) if possible)			
Name:		Name:	
Address:		Address:	
Doctor Contacted?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
When medical response was obtained:			
By whom:			



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Treatment Administered	
Name and address of Hospital if person was hospitalized	

PART 13. VESSEL OPERATOR'S INVESTIGATION / REVIEW

Not Planned
 In Progress
 Completed

Note: Completion of section 41 and 42 are not necessary at this time if the Operator's Investigation is in progress. The information can be submitted to Palau International Ship Registry once the investigation is completed.

PART 14. CASUALTY ANALYSIS / LESSONS LEARNED

PLEASE DESCRIBE WHY THE CASUALTY HAPPENED AND LESSONS LEARNED. ATTACHED ADDITIONAL SHEETS IF NECESSARY.

PART 14. CORRECTIVE / PREVENTIVE ACTIONS

PLEASE DESCRIBE CORRECTIVE ACTIONS TAKEN AFTER THE INCIDENT AND/OR THOSE THAT ARE PLANNED TO BE TAKEN IN ORDER TO PREVENT SIMILAR INCIDENTS AS WELL AS ANY RECOMMENDATIONS FOR THE PALAU SHIP REGISTRY ADMINISTRATOR. ATTACHED ADDITIONAL SHEETS IF NECESSARY.

Date of Report:	
Submitted by (Print Name):	
Signature:	
Title:	



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 5, Sachtouri Street | 9595 Six Pines Drive,
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ANNEX III – Wind Force (Beaufort Scale)

(Information on how to complete certain brackets in Table I. NOT TO BE RETURNED)

Force	Description	Equivalent speed in Knots	Mean speed in Knots	Equivalent speed in m/sec	Equivalent speed in Km/h	Specification
0	Calm	00	00	0 - 0,2	01	Sea like a mirror
1	Light Air	01 - 03	02	0,3 - 1,5	01 - 05	Ripples with the appearance of scales are formed, but without foam crests.
2	Light breeze	04 - 06	05	1,6 - 3,3	06 - 11	Small wavelets, still short, but more pronounced. Crests have a glassy appearance and do not break.
3	Gentle	07 - 10	09	3,4 - 5,4	12 - 19	Large wavelets. Crests begin to break. Foam of glassy appearance. Perhaps scattered white horses.
4	Moderate	11 - 16	13	5,5 - 7,9	20 - 28	Small waves, becoming larger; fairly frequent white horses.
5	Fresh	17 - 21	19	8,0 - 10,7	29 - 38	Moderate waves, taking a more pronounced long form; many white horses are formed. Chance of some spray.
6	Strong	22 - 27	24	10,8 - 13,8	39 - 49	Large waves begin to form; the white foam crests are more extensive everywhere. Probably some spray.
7	Near Gale	28 - 33	30	13,9 - 17,1	50 - 61	Sea heaps up and white foam from breaking waves begins to be blown in streaks along the direction of the wind.
8	Gale	34 - 40	37	17,2 - 20,7	62 - 74	Moderately high waves of greater length; edges of crests begin to break into spindrift. The foam is blown in well-marked streaks along the direction of the wind.
9	Strong gale	41 - 47	44	20,8 - 24,4	75 - 88	High waves. Dense streaks of foam along the direction of the wind. Crests of waves begin to topple, tumble and roll over. Spray may affect visibility.
10	Storm	48 - 55	52	24,5 - 28,4	89 - 102	Very high waves with long over-hanging crests. The resulting foam, in great patches, is blown in dense white streaks along the direction of the wind. On the whole the surface of the sea takes on a white appearance. The 'tumbling' of the sea becomes heavy and shock-like. Visibility affected.
11	Violent	56 - 63	60	28,5 - 32,6	103 - 117	Exceptionally high waves (small and medium-size ships might be for a time lost to view behind the waves). The sea is completely covered with long white patches of



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						foam lying along the direction of the wind. Everywhere the edges of the wave crests are blown into froth. Visibility affected.
12	Hurricane	64 and above		32,7 and above	118 and above	The air is filled with foam and spray. Sea completely white with driving spray; visibility very seriously affected.
Unknown						

WIND FORCE (BEAUFORT SCALE)



Palau International Ship Registry



Europe Head Office
 Piraeus, 18536, Greece
 5, Sachtouri Street
 6th floor
 T: +30 210 4293500
 F: +30 210 4293505
info@palaureg.com

USA Head Office
 The Woodlands, TX, 77380
 9595 Six Pines Drive,
 Suite 8210, Office 277
 T: +1 832 631 6061
 F: +1 832 631 6001
www.palaureg.com

ANNEX IV – Sea State (Douglas Scale, Visibility Scale and Light Scale)

SEA STATE (DOUGLAS SCALE)

0	Calm glassy	00 m
1	Calm rippled	0 – 0.1 m
2	Smooth	0.1 – 0.5 m
3	Slight	0.5 – 1.25 m
4	Moderate	1.25 – 2.5 m
5	Rough	2.5 – 4.0 m
6	Very rough	4.0 – 6.0 m
7	High	6.0 – 9.0 m
8	Very high	9.0 – 14.0 m
9	Phenomenal	+14.0 m
Unknown		

VISIBILITY SCALE

Very poor	Vis. < 0.5 nm
Poor	0.5 ≤ Vis. ≤ 2.0 nm
Moderate	2.0 ≤ Vis. ≤ 5.0 nm
Good	5.0 ≤ Vis. ≤ 25.0 nm
Very good	Vis. ≥ 25.0 nm
Unknown	

LIGHT SCALE

Daylight
Twilight
Night
Unknown



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ANNEX V – Specific Information Required

As noted in Section 13.6 of the above Mandatory Requirements, specific information is required for some Marine Casualties and Marine Incident as listed below. The information should be included when submitting a Casualty Notification to Administrator in order to properly repair the Marine Investigation.

- Death (crew member) – regardless of cause
 - Copy of the autopsy report;
 - Copy of other documents received from local authorities in the port where the body of the deceased is landed ashore; and
 - Copy of the policy report, if available
- Death (third party) – regardless of cause
 - Copy of other documents received from local authorities in the port where the body of the deceased is landed ashore; and
 - Copy of the policy report, if available
 - Copy of ship's doctor's report (cruise ships)
- Serious injury (not fit for duty for more than 72 hours) crew member:
 - Medical / fitness for duty report
- Serious injury (third party)
 - Copy of applicable pages from visitor log; and
 - Copy of permits to work or similar documentation for third party personnel working onboard.
- Hull / Equipment / Machinery damage or malfunction
 - Class damage survey report
- Fire / explosion

The follow-up report should include as much information as possible, including:

- Location of the fire / explosion on board;
- Time from detection of fire to when first fire hose or extinguisher at the scene;
- How the fire / explosion was detected, and by whom;
- Action taken to extinguish the fire;
- Time required to extinguish and bring the fire under control;
- The nature of any impacts to passengers (passenger vessel's);
- The nature of any impacts to cargo or; and,
- Any other information that may be helpful to prevent other fires;
- Flooding
 - The follow up report should include as much information as possible, including:
 - Spaces affected;
 - How the flooding was detected;
 - Action taken to control or stop the flooding;
 - Time required to control or stop the flooding; and
 - The nature of any impacts to cargo or vessel operations

