

The Republic of Palau
Palau International Ship Registry
“The Reliable Flag to Prosperity”

MARINE NOTICE 12-0010 MARINE CASUALTIES

To: ALL SHIPOWNERS, MANAGERS, MASTERS AND OFFICERS OF SHIPS FLYING UNDER THE PALAU FLAG, RECOGNIZED ORGANIZATION AND FLAG INSPECTORS.

Subject: Marine Casualties

I. INTRODUCTION

1. Purpose

1.1 The purpose of this Marine Notice is to provide information to the Shipowner, Operators, Manager, Masters and Classification societies of the actions to be taken when there is a Marine Casualty involving a vessel registered under the Palau Flag.

2. Applicability

2.1 This Notice is applicable to all the Republic of Palau flagged vessels.

II. REQUIREMENTS

1 Definitions

1.1 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.

1.2 Marine Casualty: a Marine Casualty shall mean any casualty or accident involving any vessel registered under the Flag of Republic of Palau or any vessel operating in the navigable waters of the Republic of Palau. Marine Casualty includes:

1.2.1 loss of life or major injury to any person on board;

1.2.2 the actual or presumed loss or abandonment of a vessel;

1.2.3 collision or grounding, disablement of a vessel;

1.2.4 material damage caused by or to the vessel;

- 1.2.5 failure of gear and equipment and any other damage which might affect or impair the seaworthiness of the vessel;
- 1.2.6 all casualties involving life-saving appliances whether or not there are injuries or loss of life or whether used for drills or emergencies; and
- 1.2.7 severe damage to the environment brought about by a vessel or vessels.

1.3 Marine Incident : A Marine Incident shall mean an event or sequence of events, other than a Marine Casualty, which has happened directly in connection with the operations of a vessel, that endangered or if not corrected would endanger the safety of the vessel and its occupants, or any other person, or the environment. Marine Incident includes hazardous occurrences and near misses but does not include deliberate act with the intention to cause harm to the safety of the vessel and its occupants or the environment or other Occurrence.

1.4 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.

1.5 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.

1.6 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:

1.6.1 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

1.6.2 pollution (regardless of quantity); and/or

1.6.3 a breakdown necessitating towage or shore assistance.

1.7 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.

1.8 Very Serious Casualty: A Very Serious Casualty (as defined in IMO MSC-MEPC.3/Circ.3) means a casualty to a vessel which involve total loss of the ship, loss of life, or severe pollution.

2 Reporting

2.1 An Initial Notification should be done by The Owner, charterer, managing operator or agent of a vessel registered under these Regulations shall notify the Ship Registry Administrator at

the earliest possible time when they have come to know of a Marine Casualty, Marine Incident or Marine Situation involving the vessel. The mode of notification should be by the fastest possible, including email, fax or telephone.

2.2 Failure to proceed with the Initial Notification will result in a fine of \$1000.00 upon the notice of the Ship Register Administrator.

2.3 After the Initial Notification, the Owner, Ship operator, manager, charterer or agent shall forward a copy of the Report of Marine Casualty, Marine Incident or Marine Situation with the form PISR 022A which should be completed and signed by the Master or the next officer in command of the vessel or the Owner.

2.4 When there is a failure to proceed with the Report of Marine Casualty will result in a fine of \$5000.00 upon the notice of the ship Register Administrator.

2.5 The Ship Registry Administrator will inform IMO through GISIS of the Casualty and do the report accordingly.

3 Marine Investigations

3.1 Once the Initial Notification and the Report of Marine Casualty has been reviewed by the Ship Registry Administrator, a Marine Investigation may be requested by the Ship Registry Administrator.

3.2 Once a Marine Investigation is requested by the Ship Registry Administrator, an independent Flag Surveyor will be contacted in order to start the Investigation. The Ship Registry Administrator will provide the Flag Surveyor with the information, request a quote for the services and inform the shipowner of these events.

3.3 If the Marine Casualty involves also another ship from another Flag State, the Ship Registry Administrator may contact the Flag State and ask for assistance or offer assistance during the Marine Investigation.

3.4 If the Marine Casualty involves environmental impact to another Flag State, the Ship Registry Administrator will contact that Flag State and keep communication during and after the Marine Investigation is completed.

4 Responsibility of the Owner

4.1 Owners should carry out their own Investigation in regards to the Casualty or Incident. Such report should also be forwarded to the Palau International Ship Registry and should include **procedures for the implementation** of corrective action, including measures intended to prevent recurrence.

4.2 Owners should also cooperate with the Palau International Ship Registry's Investigation.

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

4.3.1 suspension or revocation of the Certificate of Registry of the vessel directly involved or to any other vessel under the same Ownership; and / or

4.3.2 liability to be fined up to US\$50,000

5 Investigation Report

5.1 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 senior staff from the office of the Ship Registry Administrator. This report would include preliminary findings, conclusions, and any recommendations for appropriate action. The Ship Registry Administrator may also forward this preliminary report to Interested Parties at his discretion.

5.2 Final Report: The Ship Registry Administrator may:

5.2.1 Adopt the preliminary report as the final report and carry out its recommendations, if any; or

5.2.2 Return the preliminary report to the investigator for further investigation or revision as appropriate.

6 Submission to IMO

6.1 The Ship Registry Administrator shall submit a final full investigation report to IMO for:

6.1.1 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 255 (84).

6.1.2 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.

7 Payment for Investigation

7.1 The Owner of a vessel boarded for the purpose of an investigation under these Regulations shall pay for all incidental costs and fees chargeable to the Ship Registry Administrator.

8 Contact

8.1 To request additional information or to send the application, you can contact

The Palau International Ship Registry
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