

THE UNITED REPUBLIC OF TANZANIA



MERCHANT SHIPPING NOTICE **MSN 0207**

REPORTING OF MARITIME ACCIDENTS AND INCIDENTS

This notice is hereby issued to all ship owners, small craft, fishing vessel owners, Masters, officers and the public to report on the occurrence of the marine accidents and incidents.

1.0 Introduction

- On a number of occasions marine accidents and incidents have occurred without being appropriately reported by the vessel owners or masters.
- The failure to report marine accidents has in the past led to the delay in mobilizing and performing effective search and rescue operations.
- Provisions of the Merchant Shipping Act, 2003 and the Merchant Shipping (small ships, Local Cargo Ship Safety, Surveys and Inspections for vessels engaged on Local and Coastal Voyages, Inland Waters) Regulations, 2006 require the reporting of accidents to ships.

2.0 *The Merchant Shipping Act, 2003 Section 207: Reports of accidents to ships*

- (1) *Where a ship:*
- (a) *has sustained or caused any accident occasioning loss of life or any serious injury to any person; or*
 - (b) *has sustained any material damage affecting her seaworthiness or her efficiency, either in her hull or in any part of her machinery.*

The owner or master of that ship shall, within twenty-four hours after the occurrence of the accident or causing of the damage or as soon as possible thereafter, transmit to a proper officer if the ship is in a foreign port, or otherwise to the Registrar of Ships, a report of the accident or damage.

- (2) *Every report of accident or damage to a ship made under subsection (1) shall be signed by the owner or master of the ship, and shall state:*
- (a) *the name of the ship, the port to which the ship belongs, the official number if any, and the place where the ship is located.*
 - (b) *the circumstances in which the accident or damage occurred; and*
 - (c) *the probable cause of the accident or damage.*
- (3) *Where the owner or managing owner, or if there is no owner or managing owner resident in Tanzania, the representative person of the owner or the agent of any ship, has reason to believe that the ship has sustained or caused any accident or received any damage as mentioned in subsection (1), he shall satisfy himself that the accident or damage occurred.*
- (4) *Where any owner, managing owner, representative person or agent has reason to believe that the accident or damage specified in subsection (1) has not been reported; he shall as soon as possible send to the Registrar of Ships, notice in writing stating the name of the ship, its official number, and its port of registry or the port to which it belongs, stating to the best of his knowledge and belief, the nature and extent of the*

accident or damage, the probable cause thereof and the location of the ship.

- (5) The master, owner, managing owner, representative person or agent who fails, without reasonable cause to comply with this section, commits an offence and shall be liable upon conviction to a fine of not less than the equivalent in Tanzania shillings of the United States dollars two thousand or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.*
- (6) This section applies to all Tanzanian ships and to all foreign ships carrying passengers between places in Tanzania waters.*

3.0 *The Merchant Shipping (small ships, Local Cargo Ship Safety, small ship Safety, Surveys and Inspections for Vessels engaged on Local and Coastal Voyages, Inland Waters) Regulations, 2006, Regulation 10: Casualties and Incidents.*

- (1) In the event of a casualty or incident involving the vessel resulting in loss of life or the vessel being materially damaged, stranded, abandoned or lost, the master or the Company shall inform the Authority immediately. If it is not possible to inform the Authority directly, information on the casualty or incident shall be provided to the nearest surveyor, registrar of ships, police officer or harbour master, who shall immediately notify the Authority. In the case of the death or disappearance of any person on or from the vessel the information notified to the Authority shall include at least.*
 - (a) the date, time and location of the accident or occurrence.*
 - (b) the name of each person that died or disappeared.*
 - (c) the identification number, name, flag and port of registry of the vessel; and*
 - (d) the name and address of the Company*
- (2) The Company shall submit a report to the Authority when as a result of a casualty or incident that involves the vessel or its equipment:*
 - (a) a person dies;*
 - (b) a person is injured and requires medical treatment beyond first aid;*

- (c) *a person disappears from a vessel in circumstances that indicate probable death or injury; or*
 - (d) *damage occurs to the vessel or other property.*
- (3) *The report required by sub-regulation (2) shall be made: within 10 days of the occurrence if an earlier report is not required by Sub-regulation (2)(a).*
- (4) *The report required by sub-regulation (2) shall be in writing, dated and signed on completion by the person or persons that prepared it. Guidance on the information that should be included in such a report is provided at Schedule 6.*
- (5) *The Authority should conduct an investigation into any occurrence meeting the criteria specified in (1) or (2) that occurs to or on board a vessel flying its flag.*
- (4) *The report required by sub-regulation*

4. Guidance

Every ship owner, small craft owner and master must ensure that maritime accidents or incidents are appropriately and adequately reported. Forms for the reporting of accidents may be obtained from SUMATRA offices located in Dar es Salaam, Mwanza, Bukoba, Kigoma, Tanga, Musoma and Sumbawanga or downloaded from the SUMATRA website www.sumatra.or.tz

More information

Registrar of Ships
Surface and Marine Transport Regulatory Authority
Mawasiliano House, Ali Hassan Mwinyi Road/Nkomo Street Corner
P.O. Box 3093
Dar es Salaam
Tanzania
Tel: +255 22 2197510
Fax: +255 22 2116697
e-mail: dg@sumatra.or.tz , infor@sumatra.or.tz

Website: www.sumatra.or.tz