

## Casualty Definitions used by the UK MAIB – from 2012

### Marine Casualty<sup>1</sup>

An event or sequence of events that has resulted in any of the following and has occurred directly by or in connection with the operation of a ship:

- the death of, or serious injury to, a person;
- the loss of a person from a ship;
- the loss, presumed loss or abandonment of a ship;
- material damage to a ship;
- the stranding or disabling of a ship, or the involvement of a ship in a collision;
- material damage to marine infrastructure external of a ship, that could seriously endanger the safety of the ship, another ship or any individual;
- pollution, or the potential for such pollution to the environment caused by damage to a ship or ships.

A Marine Casualty 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.

Each Marine Casualty is categorised as ONE of the following:

#### Very Serious Marine Casualties (VSMC)

- Marine Casualty which involves total loss of the ship, loss of life, or severe pollution

#### Serious Marine Casualties (SMC)

Marine Casualty where an event results in one of:

- immobilization of main engines, extensive accommodation damage, severe structural damage, such as penetration of the hull under water, etc., rendering the ship unfit to proceed;
- pollution;
- a breakdown necessitating towage or shore assistance.

#### Less Serious Marine Casualty (LSMC)

This term is used by MAIB to describe any Marine Casualty that does not qualify as a VSMC or a SMC.

### Marine Incident (MI)

A marine incident is an event or sequence of events other than those listed above which has occurred directly in connection with the operation of a ship that endangered, or if not corrected would endanger the safety of a ship, its occupants or any other person or the environment. E.g. close quarters situations are marine incidents.

Note that under some IMO guidelines Less Serious Marine Casualties INCLUDE Marine Incidents. In UK data Less Serious Marine Casualties (and any other Marine Casualties) EXCLUDE Marine Incidents.

### Accident

Under current Regulations<sup>1</sup> Accident means any Marine Casualty or Marine Incident. In historic data, Accident had a specific meaning, broadly equivalent to (but not identical to) Marine Casualty.

### Operation of a ship

To qualify as a Marine Casualty an event/injury etc must be in connection with the operation of the ship on which it occurs. MAIB's interpretation of this includes any "normal" activities which take place on board the vessel. E.g. a chef who cuts himself while preparing food is considered in connection with the operation of the ship.

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<sup>1</sup> <http://www.legislation.gov.uk/ukxi/2012/1743/contents/madeAccident>

## Changes to UK MAIB Casualty Event Definitions - with introduction of EU Directive 2009/18/EC1 (the Directive).

Data presented in MAIB Annual Reports, up to and including 2012 used "old" definitions, with the exception that 2012 data excluded events that were not in connection with the operation of a ship. Annual Report data from 2013 uses "new" definitions.

Please refer also to **Casualty Definitions used by the UK MAIB – from 2012** which provides details on what constitutes a Marine Casualty or Marine Incident.

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**Collisions/Contacts** – Until 2012 the UK defined a collision as a vessel making contact with another vessel that was subject to the collision regulations, after 2012 a collision is any contact between two vessels, i.e.

Until 2012

Collision - vessel hits another vessel that is floating freely or is anchored (as opposed to being tied up alongside).

Contact - vessel hits an object that is immobile and is not subject to the collision regulations e.g. buoy, post, dock (resulting in damage), etc. Also, another ship if it is tied up alongside. Also floating logs, containers etc.

From 2013

Collision - a casualty caused by ships striking or being struck by another ship, regardless of whether the ships are underway, anchored or moored.

This type of casualty event does not include ships striking underwater wrecks. The collision can be with other ship or with multiple ships or ship not underway.

Contact - a casualty caused by ships striking or being struck by an external object. The objects can be: floating object (cargo, ice, other or unknown); fixed object, but not the sea bottom; or flying object.

**Injury** – The **EU** requires injuries to be reported if they are "3 day" injuries. This is described in more detail in section 4.2 of the European Statistics on Accidents at Work (ESAW) Summary methodology<sup>2</sup> (Note that in this context the term "Accident" means an injury.)

"Accidents at work with more than three calendar days' absence from work. Only full calendar days of absence from work have to be considered, excluding the day of the accident. Consequently, 'more than three calendar days' means 'at least four calendar days', which implies that only if the victim resumes work on the fifth (or subsequent) working day after the date on which the accident occurred should the incident be included."

**UK injury data** also includes "serious" injuries. In addition to "3 day" injuries these are:

- any fracture, other than to a finger, thumb or toe;
- any loss of a limb or part of a limb;
- dislocation of the shoulder, hip, knee or spine;
- loss of sight, whether temporary or permanent;
- penetrating injury to the eye;
- any other injury -
  - leading to hypothermia or unconsciousness,
  - requires resuscitation, or
  - requiring admittance to a hospital or other medical facility as an inpatient for more than 24 hours;

In practice approximately one in 200 reported injuries meet the above criteria and do not result in a "3 day" injury.

The IMO Casualty Investigation Code<sup>3</sup> 4.8 **Serious injury** means an injury which is sustained by a person in a casualty resulting in incapacitation for more than 72 hours commencing within seven days from the date of injury.

Due to the special working conditions of seafarers, injuries to seafarers while off-duty are considered to be occupational accidents<sup>4</sup>

<sup>2</sup> [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-RA-12-002/EN/KS-RA-12-002-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-RA-12-002/EN/KS-RA-12-002-EN.PDF)

<sup>3</sup> [http://www.imo.org/blast/blastDataHelper.asp?data\\_id=22633&filename=A849\(20\).pdf](http://www.imo.org/blast/blastDataHelper.asp?data_id=22633&filename=A849(20).pdf)

<sup>4</sup> [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:91:0:::P91\\_SECTION:MLC\\_A4](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:91:0:::P91_SECTION:MLC_A4)

Article II 1.(f) & Standard A4.

## **Machinery/Loss of control/ Damage to Equipment**

Until 2012

The UK used the generic term "Machinery" to describe most mechanical failures that caused problems to a vessel. In order to be considered the equivalent of a Marine Casualty the vessel needed to be not under command for a period of more than 12 hours, or the vessel needed assistance to reach port.

From 2013

While the IMO does not specify Machinery in its list of serious casualty events (MSC-MEPC.3/Circ.3<sup>5</sup>), it does define a Marine Casualty by the results and uses the term "etc" in the list of serious casualty events.

The European Union and the UK may interpret machinery failures as either:

Loss of control - a total or temporary loss of the ability to operate or manoeuvre the ship, failure of electric power, or to contain on board cargo or other substances:

- Loss of electrical power is the loss of the electrical supply to the ship or facility;
- Loss of propulsion power is the loss of propulsion because of machinery failure;
- Loss of directional control is the loss of the ability to steer the ship;
- Loss of containment is an accidental spill or damage or loss of cargo or other substances carried on board a ship.

Or

Damage to equipment - damage to equipment, system or the ship not covered by any of the other casualty types.

## **Stranding/Grounding**

Until 2012

Grounds means making involuntary contact with the ground, except for touching briefly so that no damage is caused.

From 2013

Grounding/stranding - a moving navigating ship, either under command, under power, or not under command, drifting, striking the sea bottom, shore or underwater wrecks.

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<sup>5</sup> [http://www.imo.org/blast/blastDataHelper.asp?data\\_id=30432&filename=MSC-MEPC.3-Circ.3.pdf](http://www.imo.org/blast/blastDataHelper.asp?data_id=30432&filename=MSC-MEPC.3-Circ.3.pdf)

## Vessel Types included in MAIB Annual Reports from 2013 to date

1. MAIB use definitions in line with those used by the European Maritime Safety Agency (EMSA) and the International Maritime Organization (IMO). EXCEPT that the data presented in the MAIB Annual Reports includes certain vessels types that are outside the scope of EU Directive 2009/18/EC<sup>6</sup> (the Directive).
2. Vessel types outside the scope of the Directive that are INCLUDED in MAIB Annual Reports:
  - Fishing vessels of under 15 metres;
  - Government owned vessels used on government service (except Royal Navy vessels);
  - Inland waterway vessels operating in inland waters;
  - Ships not propelled by mechanical means;
  - Wooden ships of primitive build;
  - Commercial recreational craft with fewer than 13 persons on board.
3. Vessel types outside the scope of the Directive that are EXCLUDED from MAIB Annual Reports:
  - Royal Navy vessels;
  - Fixed offshore drilling units.
4. Vessel Types (potentially) inside the scope of the Directive that are EXCLUDED from MAIB Annual Reports:
  - Recreational craft | Personal watercraft;
  - Recreational craft | Sailing surfboards;
  - Ships permanently moored which have no master or crew.
5. One "vessel" type, offshore drilling rigs, are inside the scope of the Directive, but usually outside the scope of MAIB. For UK flagged installations, broadly, if an accident occurs while the installation is in transit MAIB investigate and record details, otherwise the Health and Safety Executive (HSE) is responsible for investigating and recording details. More information can be found on pages 40 to 41 of the Memorandum of Understanding between MAIB, MCA & HSE<sup>7</sup>
6. Until 2012 the UK considered Search and Rescue (SAR) craft to be non-commercial. From 2013 onwards they are considered commercial.

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<sup>6</sup> <http://emsa.europa.eu/emsa-documents/legislative-texts/72-legislative-texts/28-directive-200918ec.html>

<sup>7</sup> <http://www.hse.gov.uk/aboutus/howwework/framework/mou/mcamou.pdf>

## Vessel categories used in Annual Reports from 2013 to date

### **Merchant Vessels >=100gt**

Trading and non trading vessels of 100 gross tonnage or more (excluding fish processing and catching). Note that this category includes vessel types such as inland waterway vessels and vessels on government service that are specifically excluded from the scope of the Directive<sup>8</sup>. It excludes Royal Navy vessels and platforms and rigs that are in place.

### **Commercial vessels <100gt**

Vessels of under 100 gross tonnage known, or believed to be, operated commercially (excluding fish processing and catching).

### **Commercial recreational**

May be a sub-set of either of the above two entries. Those over 100 gross tonnage may be, for instance, a tall ship or luxury yacht. Those under 100gt may be as small as a rented dinghy.

### **UK Fishing Vessels**

Commercial Fishing Vessels Registered with the UK Maritime and Coastguard Agency's Registry of Shipping and Seamen. Note that this category includes under 15 metre fishing vessels that are specifically excluded from the scope of the Directive.

### **Passenger**

In addition to seagoing passenger vessels this category also includes inland waterway vessels operating on inland waters.

### **Service ship**

Includes, but not limited to, dredgers, offshore industry related vessels, tugs and search and rescue craft (SAR).

### **Recreational craft**

Recreational craft may be commercial or non-commercial. In the statistics section of each Annual Report only "Table 1: Loss of life..." includes non-commercial recreational craft.

### **Non-UK vessels in UK waters**

Vessels that are not known, or believed to be, UK vessels, and the events took place in UK territorial waters (12 mile limit).

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<sup>8</sup> <http://emsa.europa.eu/emsa-documents/legislative-texts/72-legislative-texts/28-directive-200918ec.html>