



Report of Investigation
into the Collision between
the Local Open Sampans
P41935T and *P41327K*
off Yim Tin Tsai
on 29 June 2007



The Hong Kong Special Administrative Region
Marine Department
Marine Accident Investigation Section

Purpose of Investigation

This incident is investigated, and published in accordance with the IMO Code for the Investigation of Marine Casualties and Incidents promulgated under IMO Assembly Resolution A.849(20). The purpose of this investigation conducted by the Marine Accident Investigation and Shipping Security Policy Branch (MAISSPB) of Marine Department is to determine the circumstances and the causes of the incident with the aim of improving the safety of life at sea and avoiding similar incident in future.

The conclusions drawn in this report aim to identify the different factors contributing to the incident. They are not intended to apportion blame or liability towards any particular organization or individual except so far as necessary to achieve the said purpose.

The MAISSPB has no involvement in any prosecution or disciplinary action that may be taken by the Marine Department resulting from this incident.

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1. Summary

- 1.1 At about 0350 on 29 June 2007, the locally licensed open sampan *P41935T* collided with the locally licensed open sampan *P41327K* off Yim Tin Tsai (Figure 1). The weather conditions were cloudy with showers with a visibility of about 200 to 500 metres. *P41935T* sustained damages to the starboard side of the hull and a person on board the vessel was killed. *P41327K* sustained minor damages to the bottom of its stem.
- 1.2 The investigation revealed that the lookout of the masters of both vessels was not effective to detect the other vessel's presence in the prevailing circumstances and conditions to avert the collision. Furthermore, the Master of *P41327K* proceeded at such a speed that he could not take proper and effective action to avoid collision and stop his vessel within a distance appropriate to the prevailing circumstances and conditions.



Figure 1 – The approximate position of the collision

2. Description of the vessels

2.1 *P41935T*

2.1.1	Licence No.	:	P41935T
	Type	:	GRP Open Sampan
	Length Overall	:	5.79 metres
	Extreme Breadth	:	2.03 metres
	Gross Tonnage	:	2.91
	Net Tonnage	:	2.04
	Date of First Licensed	:	9 July 1999
	Engine/Engine Power	:	1 x Suzuki Petrol Outboard/11.19 kW
	Total no. of person permitted to carry	:	4



Figure 2 – Photograph of *P41935T*

2.2 *P41327K*

2.2.1	Licence No.	:	P41327K
	Type	:	GRP Open Sampan
	Length Overall	:	5.79 metres
	Extreme Breadth	:	1.98 metres
	Gross Tonnage	:	2.81
	Net Tonnage	:	1.96
	Date of First Licensed	:	8 September 1994
	Engine/Engine Power	:	1 x Suzuki Petrol Outboard/11.19 kW
	Total no. of person permitted to carry	:	4



Figure 3 - Photograph of *P41327K*

3. Sources of Evidence

3.1 Master of *P41935T*;

3.2 Master of *P41327K* and his spouse;

3.3 Marine Police, Hong Kong Police Force; and

3.4 Hong Kong Observatory.

4. Outline of Events

4.1 Account of *P41935T*

4.1.1 At about 0300 on 29 June 2007, the Master and his wife boarded the local sampan *P41935T* and proceeded from fish raft No. 1742 to fish farm off Sam Mun Tsai Typhoon Shelter. Before sailing, two lights were switched on. One was the navigational all-round white light which was erected at the port quarter with a height of about four feet i.e. 1.22 metre above the gunwale and the other one was erected at port midship position for the purpose of illuminating the work carried out by the master's wife. The Master sat on the starboard quarter steering the vessel while his wife sat on the midship position of the vessel.

4.1.2 At about 0340, *P41935T* sailed to Ma Shi Chau along the coast from Sam Mun Tsai to Yim Tin Tsai on an easterly course with a speed of 5 to 6 knots. When the sampan arrived at Pak Pai Kok, its starboard side was forcefully hit by the bow of a local sampan which was later identified as *P41327K*. The sudden impact caused the Master to fall from the stern position to the midship position. He was blamed by the Master of *P41327K* in "Hok Lo" dialect why he had not switched on the light. After the collision, *P41327K* left *P41935T* and proceeded towards Sam Mun Tsai Typhoon Shelter.

4.1.3 The Master found his wife was unconscious and lied on the midship position with nose and mouth bleedings. He immediately navigated his sampan back to the fish raft and called the police for assistance by using his wife's mobile phone. The call did not go through and he navigated his sampan to the pier where he summoned assistance from the shop owner of a local store ashore for calling the police. Soon after, the ambulance arrived at the scene and delivered the Master and his wife to Alice Ho Miu Ling Nethersole Hospital. His wife was certified dead before arrival at the hospital by a medical doctor.

4.2 Account of *P41327K*

4.2.1 At about 2200 on 28 June 2007, the Master of *P41327K* and his spouse picked up their sampan underneath Mui Tsz Lam flyover and sailed towards Ma Liu Shui for fishing. It was dark and the visibility was poor. An all-round white navigation light and one white light for illumination were switched on.

4.2.2 After catching some fish at Ma Liu Shui outside Hong Kong Chinese University, the sampan proceeded to Sam Mui Tsai on a northwesterly course with a speed of about

10 knots. At about 0350 on 29 June 2007, when the vessel was outside Yim Tin Tsai, the spouse of the Master saw a sampan crossing the bow at a range of about 6 to 7 feet, she immediately shouted to her husband to stop their vessel.

4.2.3 The bow of *P41327K* crashed into the starboard side of a sampan which was later identified as *P41935T*. The impact caused the Master to be thrown overboard and his spouse was thrown to the port quarter from the bow. His wife stopped the sampan and the Master was recovered on board the sampan. The Master asked the man on board *P41935T* why he had not switched on the navigation light and the man remarked that he had already done so. Before returning to the berthing place beneath Mui Tsz Lam flyover, the Master navigated the sampan to Sam Mum Tsai for selling this catch.

4.3 Damage inspection

4.3.1 After the accident the two vessels were inspected by officers of Marine Department and Government Laboratory. The following damages were found on the two vessels:

P41935T

Fracture damage with length of about 30 cm on the gunwale on the starboard side at a position almost amidships of the vessel was found. Significant abrasion was found at the damaged areas of the gunwale. The outer side of the gunwale was protected by rubber trimming and white fiberglass. The portion of the rubber trimming at the damaged area of the gunwale was deformed while the white fiberglass was broken with a part missing. The black cover casing of the outboard engine was fractured.



Figure 4 – Photograph showing the fractured damages on *P41935T*

P41327K

A large abrasive damage and a hole in the shape of an irregular slot with length of about 33 cm at the bottom of the stem of the sampan were observed. Sign of abrasion damage to the hull on the port side next to the stem was observed. Physical damage to hull at the abraded area at a vertical distance about 80 cm below the top edge of the hull next to the stem was observed. Another minor physical damaged area was observed at the hull of the port side and immediately next to the bottom of the stem.

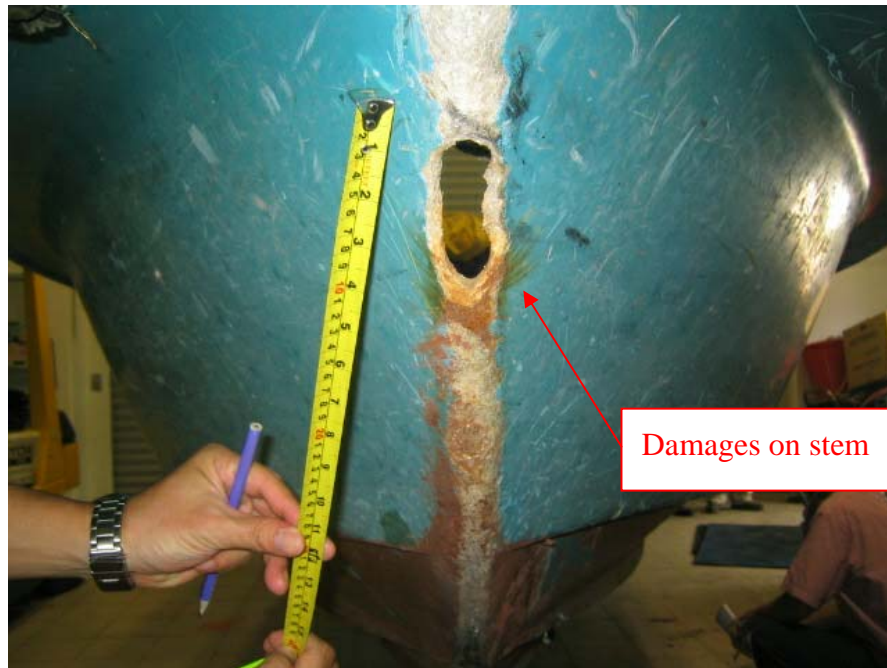


Figure 5 – Photograph showing the damages on *P41327K*

5. Analysis of Evidence

5.1 Competency of the concerned Masters

5.1.1 The Master of *P41935T* holds a valid Hong Kong Local Certificate of Competency as Master to take charge of a powered fishing vessel which enables him to take charge of a local open sampan.

5.1.2 The Master of *P41327K* holds a valid Hong Kong Local Certificate of Competency as Master to take charge of a powered vessel of 60 net tons and under which enables him to take charge of a local open sampan.

5.2 Eyesight of the concerned Masters

5.2.1 After the accident, the eyesight of both Masters was tested by Marine Department and their eyesight met with the requirement of the Marine Department.

5.3 Certification of the vessels in collision

5.2.1 The licences of *P41935T* and *P41327K* were valid until 25 June 2008 and 7 January 2008 respectively.

5.4 Weather and sea conditions

5.4.1 According to the report of the Hong Kong Observatory, the weather was cloudy with showers. The wind direction at the subject location at the material time was easterly with a speed of 4 km per hour. The sea was smooth.

5.5 Lights displayed by vessels

5.5.1 Both Masters claimed that they had switched on the navigational light i.e. an all-round white light on board their vessels before sailing. The all-round white light was erected on the port quarter at a height of about 1.2 metre above gunwale of *P41935T* and on the starboard quarter at a height of about 1 metre above gunwale of *P41327K*.

5.5.2 Besides the navigational light, a working light was also erected on the port side of *P41935T* at the same level of the navigational light i.e. 1.2 metres above gunwale and a flashing red light was also erected on the port bow of *P41327K* at almost the same level as the navigational light i.e. 1 metre above gunwale.

5.5.3 Both Masters stated that all the lights displayed by the other vessel were not observed by them before collision. The navigational lights displayed by both vessels met the requirement of the lights prescribed in the Collision Regulations.

5.6 Speed and lookout maintained by both vessels

5.6.1 Both the masters of *P41935T* and *P41327K* claimed that the speeds of their vessels before collision were about 5 to 6 knots and 10 knots respectively. There was no evidence to verify whether the vessels were maintaining such speeds at the material time. It was considered that *P41327K* did not proceed at a safe speed as the Master had failed to stop the vessel to avoid the collision.

5.6.2 Although both masters claimed that the visibility was not poor, they failed to observe both navigational and working lights displayed by the other vessel. It is inferred that the lookouts maintained by both vessels were not effective in the prevailing circumstances and conditions.

5.7 Movements of both vessels

5.7.1 According to the masters of *P41935T* and *P41327K*, *P41935T* was manoeuvring somewhat in an easterly direction whereas *P41327K* was manoeuvring somewhat in a northwesterly direction. *P41327K* should attack *P41935T* at an angle of about 45°.

5.7.2 Government Laboratory reported that based on the damages sustained to the gunwale on the starboard side of *P41935T*, *P41327K* could have been heading towards the bow of *P41935T* at an acute angle prior to the collision and subsequently struck the starboards side of the latter vessel.

5.8 Fatigue, Alcohol and Drug

5.8.1 Both the masters stated that they had sufficiently rested and had not taken any alcohol or medicines before sailing. In this connection, there was no evidence that fatigue, alcohol or drug were contributory factors to the collision.

5.9 Fatal injury

5.9.1 According to the autopsy report, the deceased on board *P41935T* suffered multiple fatal injuries which were caused by severe blunt force impact. The impact was

probably caused by *P41327K* after striking the starboard gunwale of *P41935T*.

6. Conclusions

- 6.1 At about 0350 on 29 June 2007, the locally licensed open sampan *P41935T* collided with the locally licensed open sampan *P41327K* off the entrance of Yim Tin Tsai.
- 6.2 At the time of the accident, the weather was cloudy with showers and easterly wind at a speed of 4 km per hour. The sea was smooth and the visibility was about 200 to 500 metres.
- 6.3 The cause of the collision was due to the failure of the masters of both vessels to maintain a proper lookout to detect other vessel's presence in the prevailing circumstances and conditions to avert the collision. The Master of *P41327K* had also failed to proceed at a safe speed so that he could not take proper and effective action to avoid collision and stop his vessel within a distance appropriate to the prevailing circumstances and conditions.

7. Recommendations

- 7.1 A copy of this report is to be sent to the masters of *P41935T* and *P41327K* drawing their attention on the findings of the investigation, and the importance of maintaining a proper lookout and safe speed appropriate to the prevailing circumstances and conditions whilst their vessels are underway in the waters of Hong Kong. They should also be reminded to switch on the navigation lights in darkness.

8. Submissions

- 8.1 In the event that the conduct of any person or organization is commented in an accident investigation report, it is the policy of the Marine Department to send a copy of the draft report to that person or organization for their comments.

8.2 The final draft of the report was sent to the following:

Master of *P41935T*

Master of *P41327K*

8.3 No submissions were received from the masters of *P41935T* and *P41327K*.