

## **MARINE DEPARTMENT NOTICE NO. 71/ 2021**

(Navigational & Seamanship Safety Practices)

### **Fatal accident caused by the collision between a local cruiser and a sampan**

#### **The Incident**

A locally licensed open cruiser (the cruiser) carrying a coxswain and one handyman collided with a local open sampan (the sampan) in good visibility and calm sea condition. The accident resulted in the death of the owner of the sampan and slight damages of both the cruiser and the sampan caused by scratching, but no pollution was caused.

2. Investigation revealed that the accident happened mainly because both the coxswain of the cruiser and the sampan owner failed to comply with Section 27 of the Merchant Shipping (Local Vessels) Ordinance (Cap 548), i.e. the Collision Regulations<sup>1</sup> required by the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap 369N). Details are set out below:

- (i) the coxswain of the cruiser and the sampan owner failed to maintain a proper look-out so as to make a full appraisal of the situation and the risk of collision in accordance with Rule 5 (Look-out) of the Collision Regulations; and
- (ii) the cruiser failed to proceed at a safe speed at all times in accordance with Rule 6 (Safe speed) of the Collision Regulations so that proper and effective actions could be taken to avoid collision and the cruiser could stop within a distance appropriate to the prevailing circumstances and conditions.

3. The investigation also revealed that the sampan owner's coxswain

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<sup>1</sup> The Collision Regulations means the International Regulations for Preventing Collision at Sea 1972.

certificate had expired for years.

### **Lessons Learnt**

4. All operators of local vessels should learn a lesson from this accident and strictly comply with the Collision Regulations by maintaining a proper look-out, navigating with caution, proceeding at a safe speed at all times as appropriate to the prevailing circumstances and conditions, and taking proper and effective action to avoid collision when there is danger.

5. The operators of all vessels should hold corresponding and valid certificates of competency.

**Ms Carol Yuen**  
**Director of Marine**

Marine Department  
Government of the HKSAR  
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