

# **MARINE DEPARTMENT NOTICE NO. 145 OF 2018**

## **(Navigational & Seamanship Safety Practices)**

### **A fatal collision accident involving a local open cruiser**

#### **The incident**

1. A local open cruiser (the cruiser) which was engaging in recreational fishing activity in the east of East Ninepin Island tipped over after she was crashed by a mainland Chinese live fish carrier (the fish carrier) in transit the Hong Kong waters. All persons on board the cruiser fell into sea and were subsequently rescued by the fish carrier. One of them was unconscious and another one was injured. The unconscious person was certified dead on arrival at the hospital.
2. It was around noon time. The weather was overcast with dense fog and the visibility at the site was about 100 metres. Before the collision, the fish carrier was not aware of the presence of the cruiser. Even the coxswain of the cruiser could spot the fish carrier, he failed to start the main engine in a short period of time and to take collision avoidance actions. Although the fish carrier was equipped with Very High Frequency (VHF) radio equipment on board, her crew members had no knowledge of the VHF radio channels of the Hong Kong waters for watchkeeping and emergency contact. After the accident, they could not make use of such equipment to seek the assistance from outside which caused an undue delay for the rescue operation.
3. Investigation into the accident revealed the following main contributory factors:
  - (i) The coxswains of the fish carrier and the cruiser did not at all times maintain a proper look-out by all available means;
  - (ii) In restricted visibility, both the fish carrier and the cruiser did not comply with Rules 20 and 35 of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs) to exhibit lights and to give sound signals respectively; and

- (iii) In restricted visibility, the cruiser did not comply with Rule 19(b) of the COLREGs to have her main engine ready for immediate manoeuvre.
4. The investigation also revealed the following instances of non-compliance with the local marine regulations:
- (i) the cruiser failed to comply with the requirement of her Operating Licence to suspend the let for hire or reward service in unfavourable weather or sea conditions;
  - (ii) the fish carrier failed to comply with her manning requirements to have sufficient qualified crew members on board; and
  - (iii) the fish carrier failed to comply with the requirements of the Shipping and Port Control Regulations to apply to the Director for permission to enter the waters of Hong Kong by notification.

### **Lessons Learnt**

5. In order to avoid similar accidents in future, the attention of vessels' owners, coxswains and persons in charge is drawn to the following important advice:
- (i) vessels should strictly comply with the requirements of COLREGs by maintaining a proper look-out and navigating with caution. Particularly, precaution measures, such as giving sound signals, switching on navigational lights and having engines ready for immediate manoeuvre, should be taken in restricted visibility;
  - (ii) vessels should comply with her manning requirements to have sufficient qualified crew members on board. Before arrival at Hong Kong or transit the Hong Kong waters, they should comply with the Shipping and Port Control Regulations to apply to the Director for permission to enter the waters of Hong Kong by notification. When applicable and or in need, they should continuously listen on the VHF channels appropriate to the VHF sectors in which the vessels are located in order to get the marine safety information broadcasted by the Vessel Traffic Centre (VTC), and use the vessel traffic services of VTC; and

(iii) in the event of unfavourable weather or sea conditions, cruisers should comply with their licence conditions to suspend their let for hire or reward services.

6. This Notice supersedes Marine Department Notice No.114 of 2018.

**S. F. WONG**  
**Director of Marine (Ag.)**

Marine Department  
Government of the HKSAR  
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