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Written notifications for maritime declarations and reporting of accidents and incidents in connection with the operations of ships

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1 SCOPE OF APPLICATION

In accordance with this regulation, a written notification for a maritime declaration as referred to in chapter 18, section 8 of the Maritime Code (674/1994) and a report of an accident or incident that has occurred during the operation of a ship as referred to in chapter 18, section 15 of the Code shall be prepared.

2 A WRITTEN NOTIFICATION FOR A MARITIME DECLARATION

A shipmaster shall submit a written notification for a maritime declaration to the Finnish Transport Safety Agency in situations where the shipmaster is obligated to submit a maritime declaration under chapter 18, section 6(1) of the Maritime Code or if an order for the submission of a maritime declaration is separately issued or required under section 6(2) of the Code.

The notification shall be submitted with the form "A written notification for a maritime declaration" of the Finnish Transport Safety Agency.

3 REPORTING AN ACCIDENT OR INCIDENT THAT HAS OCCURRED IN CONNECTION WITH THE OPERATIONS OF A SHIP

3.1 Accidents and incidents

An accident means an event, or a sequence of events, that has resulted in any of the following, which has occurred directly in connection with the operations of a ship:

- 1) the death of, or serious injury to, a person;
- 2) the loss of a person from a ship;
- 3) the loss, presumed loss, or abandonment of a ship;
- 4) material damage to a ship;
- 5) the stranding or disabling of a ship, or the involvement of a ship in a collision;
- 6) material damage caused to marine infrastructure external to a ship that could seriously endanger the safety of the ship, another ship or an individual; or
- 7) severe damage to the environment, or the potential for severe damage to the environment, brought about by the damage of a ship or ships.

An incident means an event, or sequence of events, other than an accident, which has occurred directly in connection with the operations of a ship that endangered, or, if not corrected, would endanger the safety of the ship, those on board or any other person or the environment.

3.2 The notification obligation of the shipmaster or the shipowner

The shipmaster or shipowner is required to notify the Finnish Transport Safety Agency of any accidents and incidents that have occurred on board a Finnish ship in connection with the operations of the ship and that have come to their attention. The notification shall be filed as soon as possible after the event. The notification shall always be submitted in cases where there is any ambiguity of whether or not the event requires filing a notification.

The notification shall be filed using the form "Report on accident or incident during ship operations" of the Finnish Transport Safety Agency.

Filing the notification with the Finnish Transport Safety Agency does not exempt the shipmaster or shipowner from the obligation to file notifications in accordance with the notification obligation laid down in the Maritime Code or other legislation. Filing the notification does also not eliminate their obligation to take immediate, corrective measures to prevent similar events from occurring.

Other parties involved in the event shall be informed about filing the notification where possible.

4 NOTIFICATION FORMS

The notification forms are available in Finnish, Swedish and English at the website of the Finnish Transport Safety Agency (www.trafi.fi). The website also includes instructions on filling out the form as well as further information on the matter.

An electronic form should primarily be used for filing the report on an accident or incident that has occurred during ship operations.

Previously agreed organisations may also submit the notification using the Finnish Transport Safety Agency's interface for data transfer.

A written notification for a maritime declaration may only be submitted using a printable form.

5 ENTRY INTO FORCE

This regulation enters into force on 1 September 2017.

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