



SMAIC
STATE MARINE ACCIDENT
INVESTIGATION COMMISSION

ANNUAL REPORT

2021

MARINE CASUALTIES AND INCIDENTS



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1. INTRODUCTION

State Marine Accident Investigation Commission (SMAIC) established by the Act of 31 August 2012 on State Marine Accident Investigation Commission¹ hereinafter referred to as the act, commenced operations in May 2013 upon the appointment by the Minister of Transport, Construction and Maritime Economy of a third one of the statutory five members of the Commission.

The investigation of marine casualties and incidents has been conducted by the Commission under the act and the Code of International Standards and Recommended Practices for the Investigation of Marine Casualties and Incidents (Casualty Investigation Code) adopted by the Maritime Safety Committee (MSC) of the International Maritime Organisation (IMO).²

The purpose of the investigation of a marine casualty or incident is to determine its causes and circumstances in the prevention of marine casualties and incidents in the future and to improve State of the safety at sea.

In the course of investigation the Commission does not determine liability nor apportion blame to persons involved in the marine casualty or incident and the investigation reports shall be inadmissible in any judicial or other proceedings whose purpose is to attribute blame or liability for the casualty referred to in the report. It means that none of the organs adjudicating in such proceedings can refer to the information included in the report of the Commission.

The Commission is required by law to investigate each very serious and serious casualty.

A very serious marine casualty is an accident that resulted in total loss of a vessel, a human death or a severe damage to the environment. A serious marine casualty is an accident that results, among others, in the damage to the propulsion of a vessel, extensive damage to the superstructure, changes in the vessel's stability, a damage to the underwater part of the hull causing the vessel to pose a threat to the safety of persons or the environment, making it unsuitable for continuing the journey. A serious casualty is also the one that causes damage to the environment, including pollution or a failure resulting in the need to tow the vessel or to apply help from the land.

In the event of a serious marine casualty, the Commission may discontinue the investigation after a preliminary assessment of the reasons for its occurrence. In the event of a less serious marine casualty or marine incident, the Commission decides to undertake the investigation or

¹ The Act of 31 August 2012 on State Marine Accidents Investigation Commission (Journal of Laws: Dz.U.2019.1374 of 2019.07.24).

² Resolution MSC.255(84) – Adoption of the Coded of the International Standards and Recommended Practices For a Safety Investigation into A Marine Casualty or Marine Incident.



to desist from it. When making the decision the Commission shall take into account the gravity of the occurrence, the type of a vessel or cargo, and whether the results of the investigation shall contribute to the prevention of marine casualties and incidents in the future.

The Commission investigates marine casualties and incidents involving vessels of Polish affiliation, and vessels of foreign affiliation - if the casualty has occurred on Polish internal waters or territorial sea. The Commission is obliged to undertake the investigation in relation to which Poland is a seriously interested state, i.e. in a case in which Polish sailors died in the casualty.

In each case, the Commission undertakes actions necessary to make a preliminary assessment of the causes of the casualty, and based on the collected materials, under the above mentioned legal acts, takes the decision not to investigate, to withdraw from the investigation or to continue it.

The actions of the Commission conform to the regulations of the act and the rules of the SMAIC Statute.³

³ The Order of the Minister of Infrastructure of 13 October 2021 on formulating the regulations of the State Marine Accidents Investigation Commission and its location.



2. INFORMATION ABOUT THE COMMISSION

SMAIC has been working since 01.01.2021 in the following composition:



Master Mariner Tadeusz Wojtasik – Chairman of the Commission



Master Mariner Grzegorz Suszczewicz – Vide-Chairman of the Commission



Master Mariner Marek Szymankiewicz – Secretary of the Commission



Chief officer Monika Hapanionek – Member of the Commission

In 2021 the Commission did not change its composition.



State Marine Accident Investigation Commission is an independent body. It acts at the Minister competent for the maritime economy. It is not an organization unit subordinate or supervised by the Minister of the Maritime Economy and Inland Navigation.

Państwowa Komisja Badania Wypadków Morskich jest organem niezależnym. Działa przy ministrze właściwym do spraw gospodarki morskiej. Nie jest jednostką organizacyjną podległą lub nadzorowaną przez Ministra Infrastruktury.⁴

The mailing address and contact data of the Commission are the following:

Pl. Stefana Batorego 4, 70-207 Szczecin

tel. 91 44 03 290,

e-mail: pkbwm@pkbwm.gov.pl

www.pkbwm.gov.pl

Alarm tel. number: 664 987 987 (24 h)

⁴ The seat of the Commission since 01.06.2017 has been the city of Szczecin (the Order No 12 of the Minister of Maritime Economy and Inland Navigation of 15 March 2017).

3. ANALYSIS OF MARINE CASUALTIES AND INCIDENTS SUBMITTED IN 2021

3.1. Notifications of the casualties and incidents in 2021

In 2021 the Commission was notified of **142** marine casualties and incidents.

Following the initial analysis of the notifications, the Commission considered that:

- in **30** cases the events had not met the criteria of a marine casualty contained in its definition included in art. 2.1.1 of the SMAIC Act.⁵

- in **49** cases the casualties were not investigated due to the provisions of art. 15.2 of the SMAIC Act.⁶

- in **63** cases the Commission initiated further investigation.

3.2. Specification of marine casualties and incidents according to their type

Among **63** cases under investigation there were:

- **5** very serious casualties (**B**),

- **4** serious casualties (**P**),

- **36** casualties (**W**),

- **18** incidents (**I**).

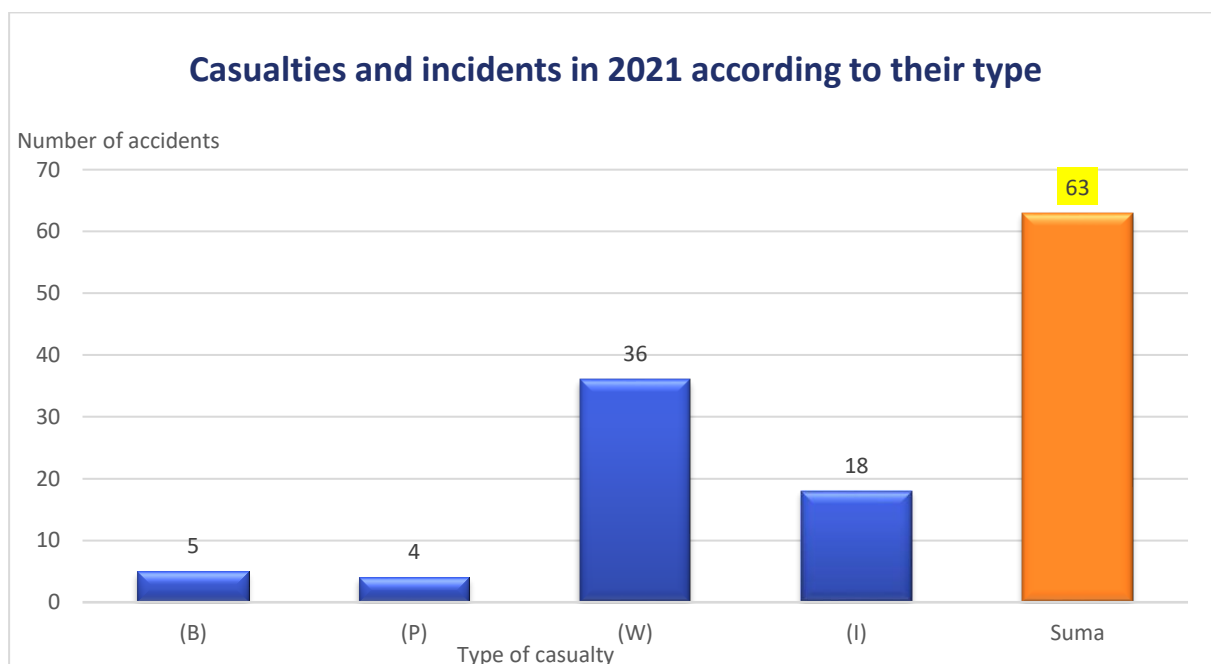


Figure 1: Specification of the number of marine casualties and incidents according to their type in 2021

⁵ The content of the footnote can be found in the Excerpts from the Regulations.

⁶ The content of the footnote can be found in the Excerpts from the Regulations.



3.3. Specification of marine casualties and incidents according to the type and flag of a vessel

In **5** very serious marine casualties there participated totally **5** vessels **1** of which sank (1 motor yacht/fishing boat).

In the **63** marine casualties and incidents under investigation there were involved totally **72** vessels which are the following:

W badanych wypadkach i incydentach uczestniczyły ogółem **72** statki.

Wśród ww. statków były:

Merchant vessels:

- **9** general cargo vessels,
- **5** bulk carriers,
- **2** container ships,
- **1** Ro-Pax vessel,
- **3** chemical carriers,
- **4** tankers,
- **1** gas carrier,
- **5** passenger vessels,
- **6** Ro-Ro vessels,

Yachts:

- **5** recreational sailing yachts,
- **5** recreational motor yachts,
- **2** commercial motor yachts,

Service vessels:

- **7** tugboats or towing units
- **1** dredger,
- **6** other service vessels,

Fishing boats:

- **6** fishing boats,

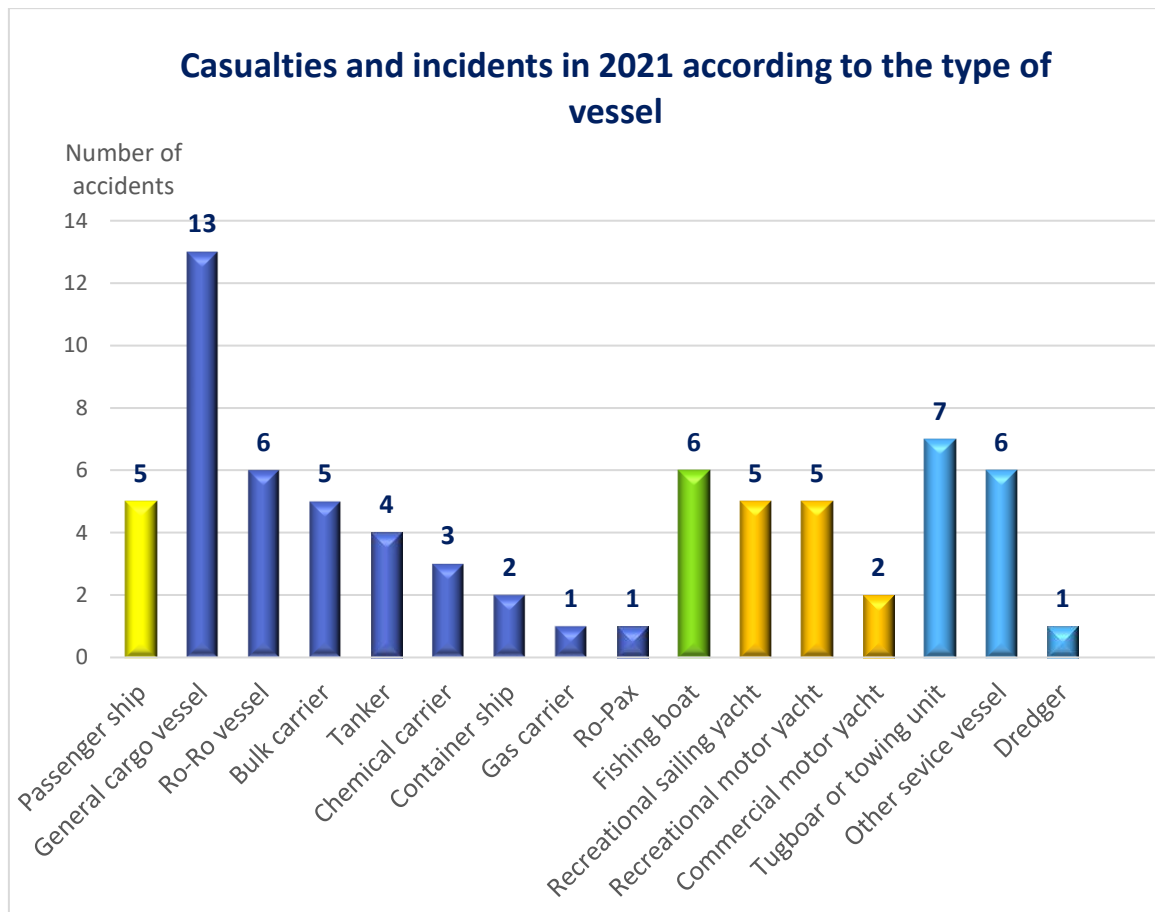


Figure 2: Specification of marine casualties and incidents in 2021 according to the type of vessel

Specification of 72 vessels according to the flag:

- 28 vessels under the flag of Poland (PL),
- 13 vessels under the flag of Cyprus (CY),
- 4 vessels under the flag of Liberia (LR),
- 3 vessels under the flag of Malta (MT),
- 3 vessels under the flag of Norway (NO),
- 3 vessels under the flag of Antigua and Barbuda (AG),
- 2 vessels under the flag of Portugal (PT),
- 2 vessels under the flag of the Commonwealth of the Bahamas (BS),
- 2 vessels under the flag of the Netherlands (NL),
- 2 statek - bandery Grecji (GR),
- 1 vessel under the flag of Luxemburg (LU),
- 1 vessel under the flag of Panama (PA),
- 1 vessel under the flag of Denmark (DK),
- 1 vessel under the flag of Sweden (SE),
- 1 vessel under the flag of the United Kingdom (GB),
- 1 vessel under the flag of Germany (DE),
- 1 vessel under the flag of Russia (RU),
- 1 vessel under the flag of the USA (US),
- 1 vessel under the flag of Faroe Islands (FO),
- 1 vessel under the flag of Belgium (BE),

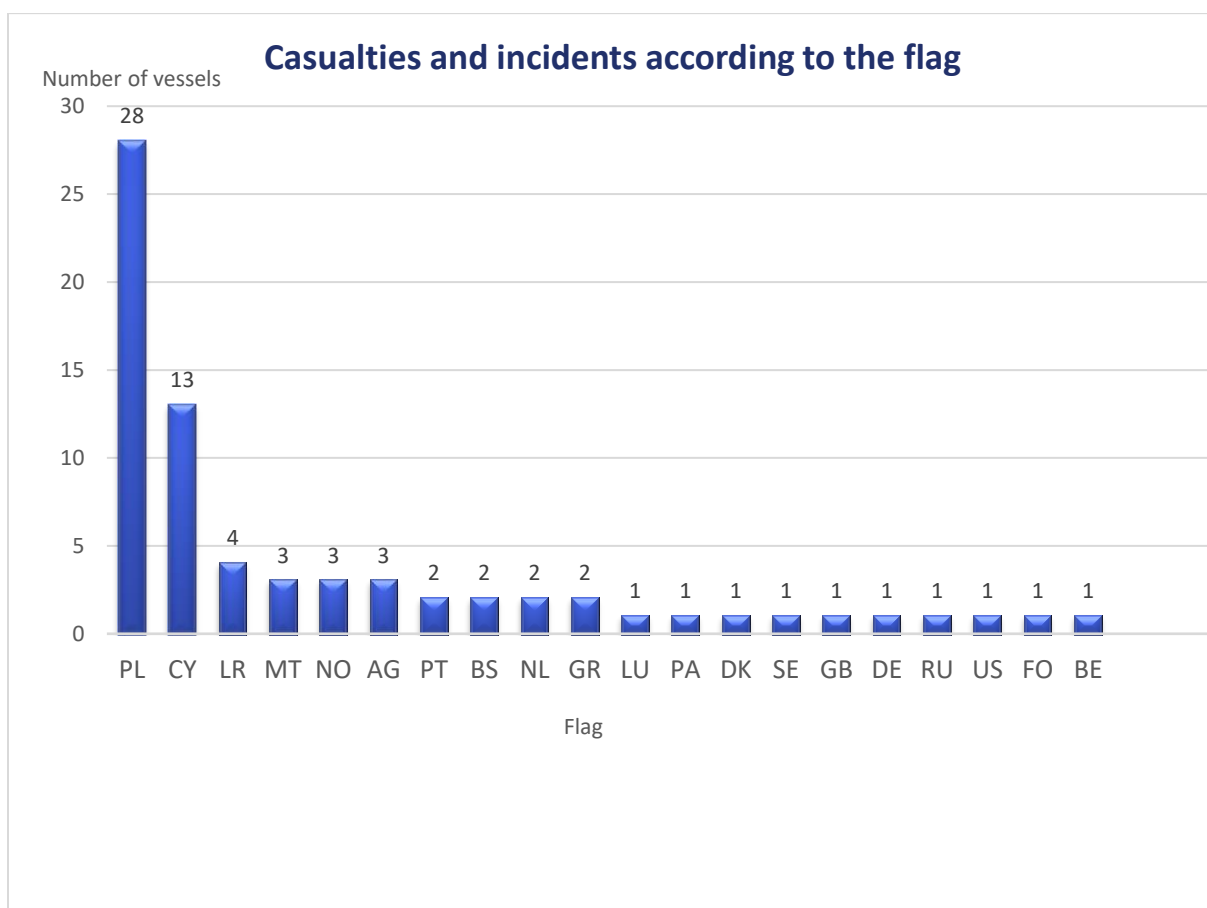


Figure 3: Specification of 72 vessels according to the flag

3.4. Specification of marine casualties and incidents according to human involvement (occupational accidents)

In result of **5** very serious marine casualties **7** people died. All victims were crew members of the vessels.

Generally, in all **63** investigated cases, **23** people had accidents (**21** crew members and **2** passengers).

The extent of the loss of health was different and so:

- **7** persons died,
- **10** persons had serious accidents requiring treatment of more than 3 days (72 hours),
- **6** persons were injured,

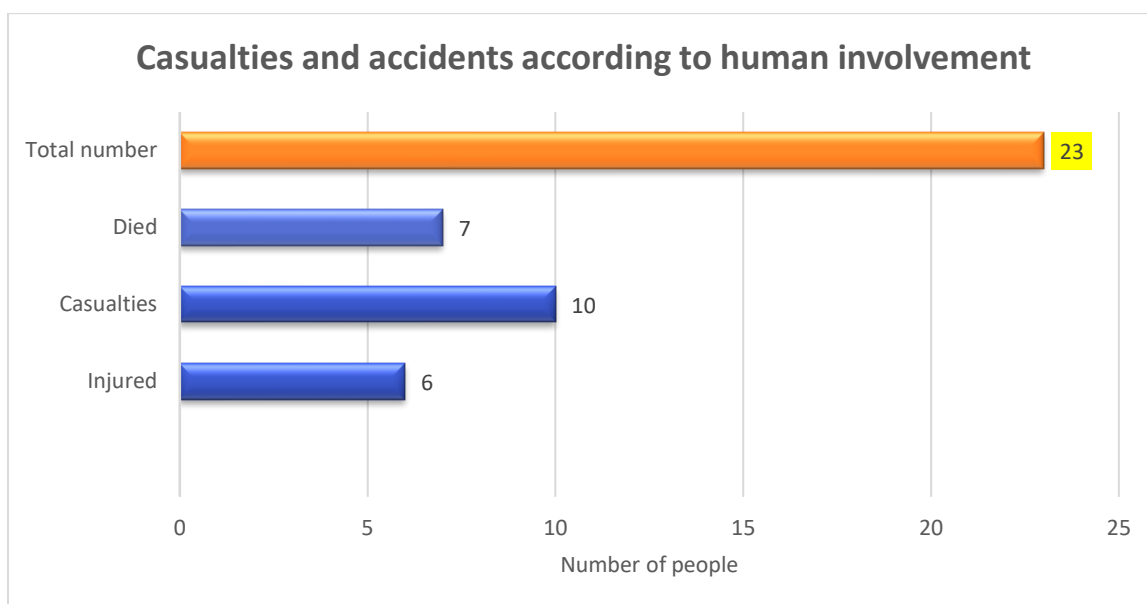


Figure 4: Specification of casualties and incidents according to human involvement

3.1. Specification of marine casualties and incidents according to the location

63 marine casualties and incidents occurred in the following places:

- **7** at high sea (over 12 Mm from shore)
- **3** at coastal waters,
- **30** in Polish ports:
 - **9** in Gdańsk,
 - **7** in Szczecin,
 - **6** in Gdynia,
 - **5** in Świnoujście,
 - **3** in other ports,
- **8** at roadsteads of Polish ports:
 - **2** at the roadstead of Gdynia,
 - **2** at the roadstead of Gdańsk,
 - **2** at the roadstead of Świnoujście,
 - **2** at the roadstead of other ports,
- **6** at Polish internal waters,
- **9** at foreign roadsteads and ports.

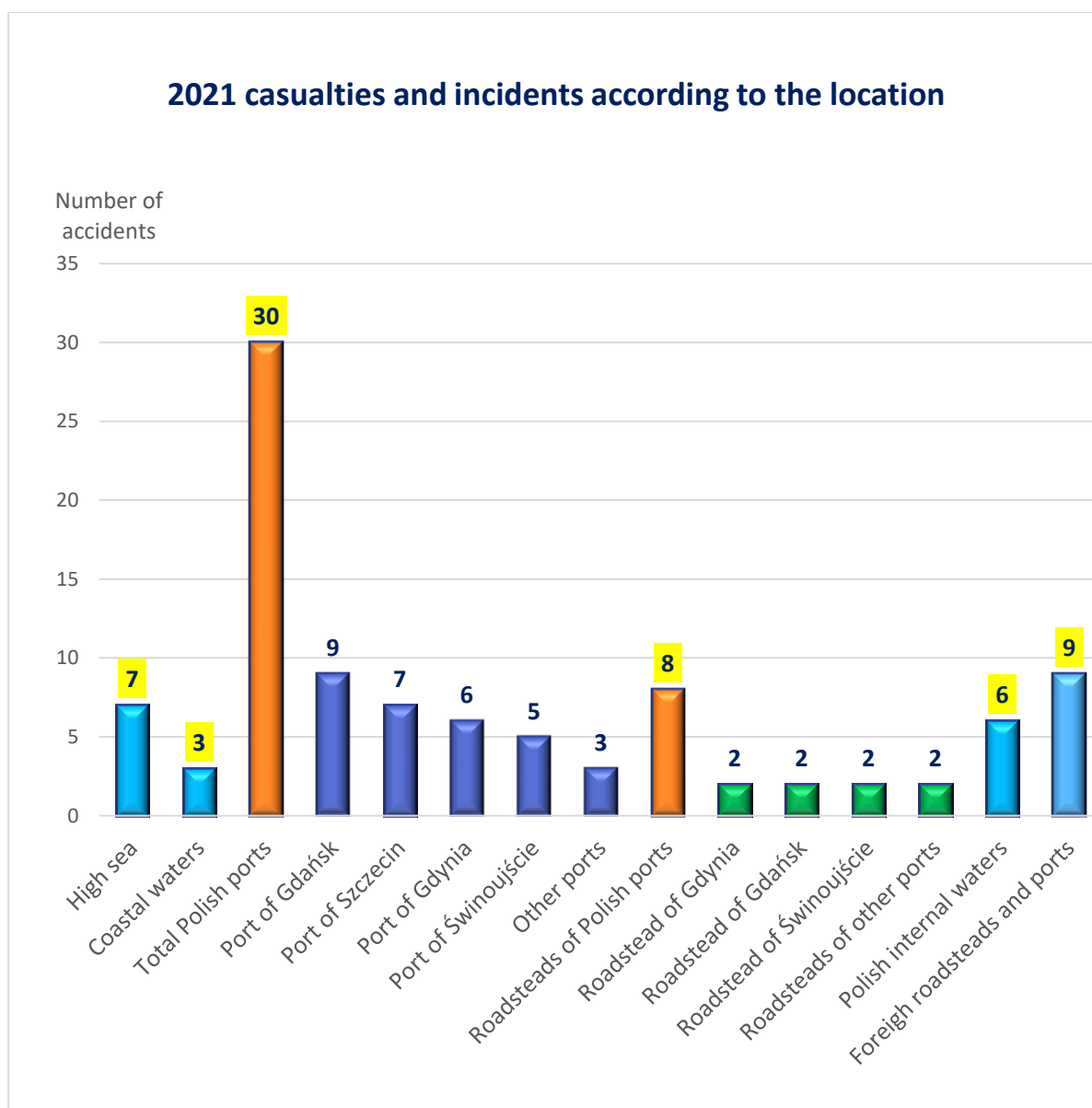


Figure 5: Specification of marine casualties and incidents according to the location

3.2. Specification of marine casualties and incidents according to the cause

Of the **63** cases examined, the causes of marine casualties and incidents were the following:

- technical causes (**8**):

- **3** propulsion failures,
- **3** breaks of the anchor chain,
- **1** failure of the power unit,
- **1** black-out (standstill of the main engine and loss of power),

- hydro-meteorological causes (**3**):

- **2** strong waves,



- **1** sharp list of the ship,
- human errors (**45**):
 - **18** cases of a lack of caution when manoeuvring,
 - **13** lack of attention of the crew at work,
 - **4** cases of navigation errors,
 - **2** cases of the lack of observation while sailing,
 - **1** inattentive clearing the sail,
 - **1** error while using the thruster,
 - **1** hazardous location for a crew member,
 - **1** bad assistance by tugs,
 - **1** pilot's error,
 - **1** violation of the boiler operation procedure,
 - **1** operation error when lifting the gangway,
 - **1** open outboard valve,
- **5** cases in which the cause could not be identified,
- **2** cases are under investigation,

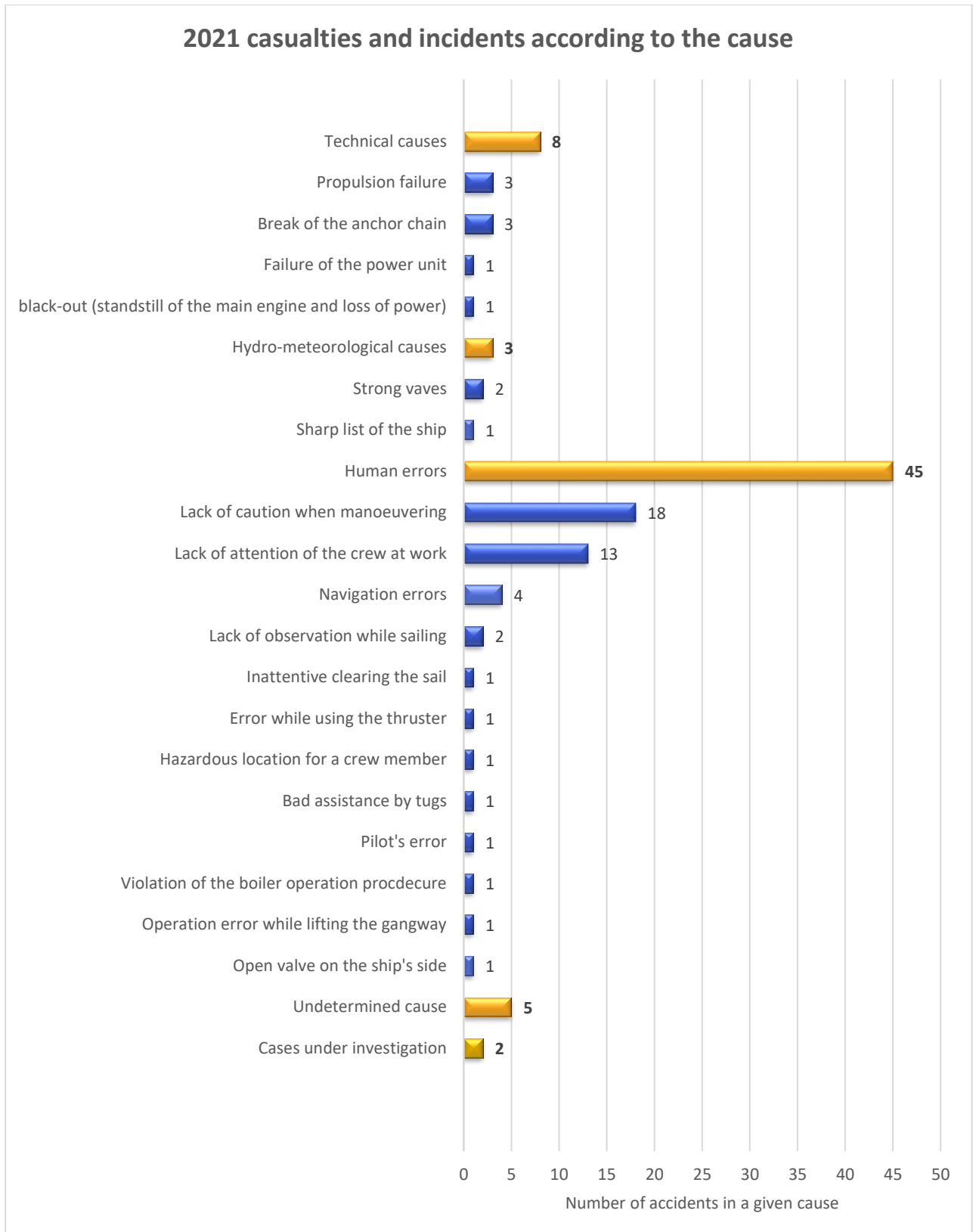


Figure 6: Specification of marine casualties and incidents according to the cause



3.3. Assessment of the justification for continuation of investigations

Out of the **63** reported in 2021 and initially investigated marine casualties and incidents, after collecting the necessary information and evidence, the Commission adopted resolutions - taking into account the severity of the occurrence, the type of ship or cargo, and the belief that the results of the investigation would not contribute to the prevention of marine casualties and incidents in the future - that:

- in **3** cases, it withdraws from the investigation under way pursuant to art. 20.2⁷ of the act on SMAIC,

- in **51** cases it withdraws from the investigation pursuant to art. 20.3⁸ of the act on SMAIC.

The Commission decided that in **9** reported cases an investigation would be conducted.

In consultation with other states significantly interested in the investigation of some of the above-mentioned accidents, the Commission on the basis of art. 21⁹ of the act on SMAIC, has decided that:

- **4** cases of investigation are being conducted independently:

- WIM 008/21 fishing boat PSR-06

- WIM 028/21 Dar Młodzieży

- WIM 033/21 New Leo

- WIM 074/21 Scheria

- **5** cases of investigation are being conducted with the participation of a significantly interested state:

- WIM 020/21 Knokke (Belgium)

- WIM 037/21 Cutter R-252 Ramona (Denmark)

- WIM 075/21 Clipper Pennant (Cyprus)

- WIM 111/21 Ilha da Madeira (Portugal)

- WIM 131/21 Star Peace (The Commonwealth of the Bahamas)

4. INVESTIGATION OF ACCIDENTS IN IN 2021

4.1. Publication of accident investigation reports

The year 2021 was started by the Commission with **13** ongoing investigations of the accidents that had taken place in 2020.

⁷ The content of the footnote can be found in the Excerpts from the Regulations.

⁸ The content of the footnote can be found in the Excerpts from the Regulations.

⁹ The content of the footnote can be found in the Excerpts from the Regulations.



It is necessary to add to that number the investigation of **9** marine accidents which occurred in the period of 01.01.2021 – 31.12.2021.

During 2021 the Commission completed investigations of **11** marine casualties and published final reports, including **2** investigations conducted by other states. (Liberia, Denmark).

Publishing dates of the reports are presented below.

Table 1 Publication of reports in 2021

No	WIM	Vessel	Date	Publishing date	
				Interim report	Final report
<i>Own investigation</i>					
1.	021/20	Motor yacht Wakacyjna Frajda	13.05.2020		February 2021
2.	025/20	Sailing yacht Betty Mariel	23.05.2020		March 2021
3.	033/20	m/v X-Press Mulhacen	05.06.2020		June 2021
4.	041/20	m/v Norman	30.06.2020	June 2021	October 2021
5.	050/20	Tugboat Uran *	19.07.2020		July 2021
6.	065/20	Viking III *	03.08.2020		July 2021
7.	072/20	Sailing yacht Gmina Police Sharki	11.08.2020		June 2021
8.	102/20	m/v Enduro Trader	20.11.2020		November 2021
9.	109/20	Cutter Leikværing	25.12.2020		December 2021
<i>Investigation by other states</i>					
10.	024/20	m/v Mount Everest	08.05.2020		June 2021
11.	037/21	Cutter R-252 Ramona	19.05.2021		October 2021

* Reports 050/20 and 065/20 were published in simplified form.

The Commission has not completed the investigation of **11** accidents that occurred in:

- 2020 / **3** accidents, where it joined the investigations conducted by other states (Antigua and Barbuda, Cyprus, Greece),

- 2021 / **4** accidents conducted independently and **4** accidents conducted by other states (Belgium, Cyprus, Portugal, the Commonwealth of the Bahamas) with the participation of Poland as SIS.

4.2. Safety recommendations based on accident investigations completed in 2021

In order to emphasize the educational mission of the SMAIC, the Commission considered that the annual analysis should recall the most serious marine casualties investigated in 2021. The excerpts from the reports including the recommendations aimed at increasing safety of



navigation are presented below. For each case in question, a WIM number is provided to facilitate the search of the report on the SMAIC website (www.pkbwm.gov.pl).

4.2.1. WIM 021/20 m/y Wakacyjna frajda

The State Marine Accident Investigation Commission was not able to clearly identify the causes of that accident. On the basis of the indisputably established facts about the occurrence of an explosion in the engine compartment first, and then a fire in the same place, which then spread to the entire vessel, the Commission adopted the hypothesis that there were gasoline vapors which ignited in the closed space of the engine compartment, as described in the section of the report devoted to the analysis of mechanical factors.

Recommendations resulting from the final report WIM 021/20 - motor yacht Wakacyjna Frajda.

The State Marine Accident Investigation Commission considered it justified to address safety recommendations, which constitute a proposal for actions that may contribute to the prevention of similar accidents in the future, to the following entities:

1. The minister responsible for maritime economy and the minister responsible for inland navigation.

Bearing in mind that the risk of explosion and fire indicated in that report, of motor yachts equipped with stationary gasoline engines is real, not single, threatening the life of the crew and passengers, endangering other vessels and port infrastructure, and also occurring equally at sea and on inland waters, the Commission has recommended the following:

- to conduct an in-depth analysis and assessment of risks related to the direction of the introduced legislative changes exempting from the obligation of periodic technical inspections of vessels,
 - to take into account the size and type of propulsion units, the age of the yachts, the method of supervising their fire safety and material as well as material and social costs of potential accidents in the assessment of risk,
 - to implement the policy of harmonizing the applicable regulations resulting from the act on maritime safety and the act on inland navigation in the field of safety of navigation in such a way that the requirements are identical for identical vessels operating in similar waters.
2. Entities authorized to perform technical inspections of the sea-going yachts and ships intended or used exclusively for sports or recreation.



Taking into account the importance of the proper conduct of technical inspections by properly trained inspectors based on the current regulations, taking into account the applicable technical standards, the Commission has recommended the **Polish Sailing Association** and the **Polish Register of Shipping S.A.** to review their own regulations and adapt them to the requirements set out in the PN-EN ISO 9094: 2017 standard “Small Vessels - Fire Protection” as well as to pay due attention to the requirement of PN-EN ISO 11105: 2020 “Small Vessels - Ventilation of Gasoline Engine Compartments and/or Gasoline Tank” regarding the compliance with the information, which should be included in the User’s Guide in relation to the activities required before starting the engine.

4.2.2. WIM 033/20 m/v X-Press Mulhacen

In the opinion of the Commission, the reason for the fall of the pilot embarking the X-Press Mulhacen vessel was the wrong way of entering the pilot gangway due to the lack of stabilization of the position of the pilot’s vessel at the ship’s side. The pilot’s action was hasty and it could have resulted from the time limit he had, as the position of taking the pilot was much closer to the port heads. In addition, the accident was caused by a limited view, or in fact the lack of it, of the position from which the pilot enters the pilot gangway from the skipper’s control point, and the lack of proper assistance for the pilot entering the gangway by the mechanic, who was responsible for it.

At the time of the accident, the pilot had only two body support points that were in contact with the pilot gangway, and additionally they were on the same side (left arm and left leg), which had an impact on holding the grip and uncontrolled rotation of the body and, consequently, falling into the water.

Recommendations resulting from the final report - WIM 033/20 m/v X-Press Mulhacen.

1. Pilot station in Gdańsk

In 1990, researching the principles of transferring knowledge within professional groups with a strictly defined professional profile, customs, common language and rules of behavior (e.g. craftsmen, doctors, teachers, aviators, sea pilots), scientists created the concept of a “community of practice”.

At times, communities of practice tend to be “hermetic”. The assessment of actions of such communities is difficult, and external guidance and remarks are considered unnecessary and unwelcome. Sometimes pilots believe that the best practices, which in their opinion are proven and should be applied, in everyday practice turn out not to be the best because they do not reflect



all the skills and experience of the entire group. The concept of a self-directed, sufficiently motivated professional group has long been rejected.

After years of research, today it is known that documenting knowledge in the form of a “record” (code, list of conduct and behavior, safety management system) is the best method of sharing knowledge within the group, accelerating learning and rules of conduct that so far have been treated as implied and have been ignored.

The record, which can be conventionally called a code of good pilot practice also allows external control, which becomes necessary due to the extensive mutual influence of marine service providers on each other based largely on a rapid flow of information due to the ongoing digitization of all port services. The Commission has recommended that such a provision should be created as a valuable basis for the creation of a good training program for pilots and collaborators.

At the same time, the Commission has recommended that practical exercises involving pilots and their crew members should be introduced to the internal pilot training program. The training program should take into account critical scenarios such as “Man Overboard” or capsizing of the pilot vessel.

4.2.3. WIM 041/20 m/v Norman

The Commission finds that the factors directly causing *Norman* to run aground were the following:

- belated attempt to switch the steering mode from automatic to manual, which was done only when there was a change of course to starboard and there arose the risk of performing the planned manoeuvre.
- switching of rudder modes by the pilot and activating rudder pumps, which during sudden operation of turning, at night with no intuitive recognition of the arrangement of buttons on the control panel and nervous atmosphere created by emergency situation resulted in an error in switching on the emergency steering.

Recommendations resulting from the final report WIM 041/20 m/v Norman.

The State Marine Accident Investigation Commission considered it justified to address safety recommendations, which constitute a proposal for actions that may contribute to the prevention of a similar accident in the future, to the following entities.

1. The shipowner.

The Commission has recommended the shipowner of the *Norman* vessel to send the contents of the submitted report to the vessels of its fleet as an example of poor management of the



navigational watch while sailing with a pilot. First of all, the presented report can be one of the topics to be discussed at the safety meeting. The issue that should be particularly carefully discussed at the safety meeting is the unauthorized transfer of the ship's control to the pilot and the switching of devices by the pilot instead of by the crew member, who should control the ship's behavior and the operation of devices. The number of crew members on watch should be such as to be able to steer and control the operation of the devices.

1. The pilot station of the Szczecin-Świnoujście Port Complex.

The Commission has recommended the pilot station to meet with all pilots to discuss the safety of piloting ships at risk of an accident by refraining from further attempts to use bridge devices not related to the pilot service in accordance with the regulations.

Such practices in the work of pilots were shown by the Commission during the investigation of that accident and the previously mentioned accidents in point 5 of the report.

4.2.4. WIM 072/20 – s/y Gmina Police Sharki

After analyzing the material collected on the very serious accident of the yacht, Sharki, the Commission concluded that the cause of Sharki's hitting the buoy No. 27 and as a consequence of sinking of the yacht was the following:

- planning navigation in a short distance from buoys Nos. 27 and 25 while passing them by starboard after crossing to the other side of the fairway,
- no current assessment of the risk of collision with navigational objects located on or near the yacht's course,
- no observation carried out before approaching the buoy No. 27.

Recommendations resulting from the final report WIM 072/20 – s/y Gmina Police Sharki.

After the examination of a very serious marine accident of **Sharki**, The State Marine Accident Investigation Commission concluded that the established causes of the accident did not belong to an individual category, where issuing recommendations to a specific shipowner or master would be sufficient to avoid similar accidents in the future. The question of knowledge and compliance with the rules of safe navigation, and this is what is discussed in this case, is a problem that quite often affects sailing community. Proper planning of the voyage, proper preparation of the yacht, unambiguous determination of the capacity and obligations for the entire crew and their enforcement are essential for the successful and safe progress of the voyage. Sea shipping unquestionably verifies all negligence in this regard. The reports of the Commission abound in information helping to realize that the causes of many accidents of



yachts and their crews are recurrent. Considering the above, the Commission decided to refrain from issuing recommendations and just make an appeal to the sailing community.

The State Marine Accident Investigation Commission considered it justified to appeal to mariners for the following:

- careful planning of the voyage keeping a safe distance from all known navigational obstacles and hazards;
- observing the yacht while sailing, using all available means, paying particular attention to the importance of visual observation as the source of the fastest information about changes in the movement of vessels which see each other;
- establishing, as one of the primary duties of the watch officers, a continuous analysis of the risk of collision with vessels or other obstacles on or in the vicinity of the yacht's route;
- adopting as a rule the obligation to conduct classic navigation on current charts in addition to the use of popular electronic devices;
- clearly establishing the powers and responsibilities of all crew members during the voyage, from signing on to signing off;
- taking into account possible health restrictions of the crew members when assigning tasks and responsibilities on board,
- timely inspection of the yacht's equipment, and in particular radio and rescue equipment,
- updating radio licenses, registration of EPIRB and PLB at the Civil Aviation Authority.

4.2.5. WIM 102/20 – m/v Enduro Trader

Navigating a large vessel in a narrow channel at full speed (especially before a turn) requires active and proper cooperation between the crew on the bridge and the pilot. Any sudden emergency manoeuvre in such conditions is bound for failure. A margin for any error in manoeuvring a vessel of such size in such conditions practically does not exist.

Both the crew and the pilot made mistakes described in the previous chapters, which resulted in manoeuvres and commands, which in consequence caused the ship's bow to enter the underwater part of the western slope of the Kanał Piastowski channel.

Recommendations resulting from the final report WIM 102/20 - m/v Enduro Trader.

1. Operator of m/v "Enduro Trader"¹⁰

¹⁰ Fleet Management Limited, Hongkong



The State Marine Accident Investigation Commission has recommended the operator to replace the VDR recording equipment with a new one in connection with the information received from the manufacturer about the lack of support in repairing and servicing the equipment that was on board at the time of the incident.

2. Recommendations

2.1 Szczecin Pilot Station

The State Marine Accident Investigation Commission has recommended the use of the content of that report in the maritime pilot training program in accordance with the provisions contained in Annex 1 to the Resolution A.960 (23).¹¹

2.2 Operator of m/v „Enduro Trader”

The State Marine Accident Investigation Commission has recommended the employment of crews that are trained to a degree enabling cooperation with port pilots.

The most experienced seamen with communicative knowledge of the English language should control narrow passages and areas difficult to navigate.

In the accident reports **WIM 025/20 - sailing yacht “Betty Mariel”** and **WIM 109/20 - Leikværing cutter**, the Commission did not issue instructions but only recommendations.

¹¹ Annex 1, p. 2.3.4 – Competent body for pilotage should ... “ensure that the reports concerning accidents involving the pilots should be included in the training programs for sea pilots”.



4.3 Specification of recommendations of the Commission sent to appropriate entities in the period of 01.07.2020 r. do 30.06.2021 and their responses. *Table 2*

No	WIM No	Vessel's name	Report publication date	Addressee of the recommendations	Report dispatch date	Deadline for the response	Response reception date	Fulfillment of recommendations
1	89/19	Atlant 1 & Ulan 72	July 2020	Minister responsible for Maritime Economy	30.07.2020	No response	x	x
				Lsea Line Sp. z o.o.	30.07.2020	30.01.2021	No response from the Russian operator	
74	49/19	Sailing yacht - SXX 6777	July 2020	Minister responsible for Maritime Economy	30.07.2020	No response	x	x
75	35/19	Fishing boat ŚWI - 82	August 2020	Minister responsible for Maritime Economy	07.08.2020	07.01.2021	16.02.2021	Yes
76	123/19	Fishing cutter KOL 212	October 2020	Minister responsible for Maritime Economy	14.10.2020	No response	x	x
77	112/19	Sailing yacht Lilla W	October 2020	Minister responsible for Maritime Economy	15.10.2020	No response	x	x
				Bavaria Yachtbau GmbH	04.11.2020	04.05.2021	No response from the German shipyard	
78	65/19	Fishing cutter WŁA 184 Helot	October 2020	Minister responsible for Maritime Economy	02.11.2020	No response	x	x
				Cutter Operator Gadus Sp. z o.o.	02.11.2020	02.05.2021	06.04.2021	x
				Polish Register of Ships	02.11.2020	02.05.2021	21.06.2021	x



79	137/19	Sounding motor boat Sonia and PH-SH-2 pontoon	December 2020	Minister responsible for Maritime Economy	10.12.2020	10.06.2021	08.06.2021	x
				Operator of the motor boat and pontoon	14.12.2020	14.06.2021	04.08.2021	x
				Polish Register of Ships	14.12.2020	14.06.2021	25.06.2021	x
80	139/19	Motor yachts Amelia Max and Hunter	December 2020	Minister responsible for Maritime Economy	18.12.2020	No response	x	x
				Operator of Amelia Max	22.12.2020	22.06.2021	10.05.2021	x
				Operator of Hunter	22.12.2020	22.06.2021	01.05.2021	x
81	021/20	Motor yacht Wakacyjna Frajda	January 2021	Minister responsible for Maritime Economy	08.02.2021	08.08.2021	09.07.2021	x
				Polish Yachting Association	08.02.2021	08.08.2021	14.06.2021	x
				Polish Register of Ships S.A.	08.02.2021	08.08.2021	24.09.2021	x
82	025/20	Betty Mariel	March 2021	Minister responsible for Maritime Economy	15.03.2021	No response	x	x
83	033/20	X-Press Mulhacen	June 2021	Minister responsible for Maritime Economy	04.06.2021	No response	x	x
				Pilot Station in Gdańsk	04.06.2021	04.12.2021	07.12.2021	x
84	072/20	Gmina Police Sharki	June 2021	Minister responsible for Maritime Economy	23.06.2021	x	Recommendations for the sailing environment	



5. EARLY ALERT

In 2021 the Commission did not publish any early alerts.

6. COOPERATION WITH OTHER ENTITIES

It should be noted that in 2021 the Commission worked closely with accident investigation organizations from other countries.

Due to restrictions in the second half of the year in Europe related to the Covid-19 epidemic, direct contacts between representatives of accident investigation organizations were practically suspended. They were replaced by on-line contacts enabling the exchange of information via computer applications and individual telephone calls. In the situation where it is necessary to conduct the accident investigation outside their own countries, marine accident investigation committees assist each other by delegating the investigation to the commission of the country where the incident took place.

When investigating 5 accidents in 2021 by other countries, the Commission joined the investigations as a Substantially Interested State - SIS:

WIM 020/21 - a serious casualty which took place on “**Knokke**”, a vessel under Belgian flag during the repair of the vessel at the "Remontowa" Shipyard in Gdańsk, as a result of which a crew member of Belgian nationality suffered from the 1st and 2nd degree burns and a hand injury. Federal Bureau for the Investigation of Maritime Accidents (FEBIMA).

WIM 037/21 - an accident on the “**R-252 Ramona**” cutter of the Danish flag, which grounded without a crew on a beach on the Polish shore. Before that, the only crew member of Danish nationality dropped out from a fishing boat in the waters near Bornholm. The investigation was conducted by the Danish Maritime Accident Investigation Board (DMAIB).

WIM 075/21 - an accident on the ship “**Clipper Pennant**” of the Cypriot flag, where a Polish national crew member suffered a fatal injury while loading vehicles in the port of Liverpool. The investigation was conducted by the British Marine Accident Investigation Branch (MAIB).

WIM 111/21 - an accident on the ship “**Ilha da Madeira**” of the Portuguese flag, where a Polish national crew member fell overboard and died while the ship was parked in the port of Leixoes. The investigation was conducted by the Portuguese Maritime Accident Investigation Commission (GAMA)

WIM 131/21 - a very serious accident, a Polish national crew member falling overboard on the “**Star Peace**” ship under the flag of the Commonwealth of the Bahamas. The investigation was conducted by the Bahamas Maritime Authority (BMA).



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9. EXCERPTS FROM THE REGULATIONS

The Act of 31 August 2012 on State Marine Accident Investigation Commission (Journal of Laws: Dz. U. of 2019 item 1374)

Footnote [5]

Art. 2. 1. Whenever the act mentions:

1) a marine casualty – it should be understood as an event, or a sequence of events directly related to the operation of the vessel, in which the following occurred:

- a) the death or serious injury to human health, or
- b) the loss of a man stationed on a vessel, or
- c) the sinking, loss of, or loss of the vessel in a different way, or
- d) the damage to the vessel, affecting to a large extent its design, maneuverability, or operational ability, requiring major repairs, or
- e) the vessel's grounding, contact with the bottom, hitting an underwater obstacle, the immobilization of the vessel or the collision of vessels, fire, explosion, impact on the structure, device or installation, shifting of cargo, damage caused as a result of unfavourable weather conditions, damage by ice, cracking the hull or suspected damage to the hull, or



f) a significant damage caused by the vessel to the port infrastructure, infrastructure providing access to ports or harbours, installations or structures on the sea, causing a serious threat to the safety of the vessel, other vessels or persons, or

g) harm to the environment or danger of causing such harm by the vessel

– however, a marine casualty shall not be considered a conscious act or omission taken with the intent to breach the security of the vessel, causing personal injury or damage to the environment;

Footnote [6]

Art. 15.

2. The Commission shall not investigate marine casualties and incidents:

1) involving exclusively:

- a) vessels of the Navy, Coastguard or Police,
- b) vessels without mechanical propeller or wooden vessels of simple construction;

2) involving exclusively:

- a) other vessels than those referred to in point 1 letter a, vessels performing only a special state duty or operated by the State for non-commercial purposes,
- b) fishing vessels of an overall length of 15 m,
- c) recreational yachts - with the exception of very serious casualties;
- d) 4 vessels and floating objects composing the towing unit other than the towing vessel - with exception of very serious casualties;

3) on fixed offshore platforms, in which the sea-going vessels have not participated.

Footnote [7]

Art. 20.

2. After the initial assessment of the causes of a serious casualty, the Commission may decide to withdraw from the investigation.

Footnote [8]

Art. 20.

3. In the event of an accident other than a casualty, referred to in paragraph 1, or a marine incident, the Commission shall decide either to undertake the investigation or to withdraw from it.



Footnote [9]

Art. 21.

Art. 21.

1. The Commission shall carry out the investigation of a marine casualty or incident individually.

2. The Commission may:

- 1) transfer the management of the investigation of a marine casualty or incident to a state other than the Republic of Poland which is substantially interested in a marine casualty or incident;
- 2) allow to participate in the investigation of a marine casualty or incident another state than the Republic of Poland significantly interested in a marine casualty or incident;
- 3) join in the investigation of a marine casualty or incident conducted by another state than the Republic of Poland substantially interested in a marine casualty or incident.

3. A state substantially interested in a marine casualty or incident, hereinafter referred to as a “substantially interested state” shall be deemed a state:

- 1) of the flag of a vessel involved in a marine casualty or incident, or
- 2) a coast, in whose internal waters or territorial sea a marine casualty or incident has occurred, or
- 3) whose natural environment, including water and territory, under the jurisdiction of that state, suffered a major damage as a result of a marine casualty, or
- 4) which in regard to artificial islands, installations and structures under the jurisdiction of that state, has suffered damage as a result of a marine casualty or incident, or injury, or prospective injury, or
- 5) whose citizens suffered death or a serious injury as a result of a marine casualty, or
- 6) possessing relevant information, which the Commission considered useful in the investigation of the causes of a marine casualty or incident, or
- 7) which is otherwise interested in the investigation of a marine casualty or incident and considered essential by the Commission.