



PKBWM

PAŃSTWOWA KOMISJA BADANIA
WYPADKÓW MORSKICH

FINAL REPORT

139/19

Serious marine incident

„Hunter” and „Amelia Max” motor yachts

**Motor yachts collision in the Ławica Słupska on
December 20, 2019**

December 2020



Investigation of a serious accident involving the collision of "Hunter" and "Amelia Max" motor yachts was conducted on the basis of the Act of August 31, 2012 on the State Commission on Maritime Accident Investigation (i.e. Journal of Laws of 2012 item 1374) and the norms, standards, and recommended methods of conduct agreed within the International Maritime Organization (IMO) binding for the Republic of Poland.

Pursuant to the provisions of the above-mentioned Act the purpose of marine accident or incident investigation is to determine the circumstances and causes of its occurrence in order to prevent future marine accidents and incidents and to improve the state of maritime safety.

The State Marine Accident Investigation Commission does not determine in the conducted investigation the guilt or liability of persons involved in a marine accident or incident.

This report cannot constitute evidence in criminal proceedings or in any other proceedings aimed at establishing guilt or liability for causing the accident which the report relates to (Article 40 (2) of the Act on PKBWM).

State Marine Accident Investigation Commission

Pl. Stefana Batorego 4, 70-207 Szczecin
tel. +48 91 44 03 290, mobile +48 664 987 987
e-mail: pkbwm@mgn.gov.pl
www.pkbwm.gov.pl



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1. The facts

On December 20, 2019, at approx. 7:27 am there was a collision between the "Amelia Max" and the "Hunter" motor yachts in the Baltic Sea, approx. 25 NM NNW from the port of Ustka. Both vessels have been approved for operation as commercial yachts and have been adapted to sail with anglers on board. At the time of the accident, both units were on their way to the fishing ground in the Ławica Słupska area.

As a result of the collision "Hunter" suffered damage to the stern section of the starboard side (parts of bridge and railings), as well as damage to the propeller shaft. "Amelia Max" yacht suffered damage to the bow and the starboard side of the bow was battered. Hulls of both vessels remained watertight and none of the crew and anglers on board was injured. The "Hunter" yacht was towed to the port in Ustka by a rescue vessel SAR "Orkan" and the "Amelia Max" yacht returned to the port in Ustka after fishing was completed.

2. General information

2.1. Vessel data

2.1.1. "HUNTER" motor yacht

Flag:	Polish
Home port:	Ustka
Owner:	Privately owned
Vessel owner:	as above
Classification Authority:	Polish Yachting Association
Type of vessel:	Motor yacht - commercial
Identity signal:	SPG3921
Year of construction:	2000
Engine power:	72 kW
Total length:	10.61 m
Width:	3.58 m
Hull material:	Steel
Minimum crew:	2 persons



Picture 1. "Hunter" motor yacht (source: www.hunterustka.pl)

2.1.2. "AMELIA MAX" motor yacht

The flag:	Polish
Home port:	Ustka
Owner:	Privately owned
Vessel owner:	as above
Classification Authority:	Polish Register of Shipping
Type of vessel:	Motor yacht - commercial
Identity signal:	SPG3905
Year of construction:	2013
Engine power:	240 kW
Total length:	17.78 m
Width:	5.20 m
Hull material:	steel
Minimum crew:	3



Picture 2. “Amelia Max” motor yacht (source: www.kutrywedkarskie.pl)

2.2. Information on the accident

Type of accident:	Serious marine accident
Date and time of the incident:	December 20, 2019, approx. 7:27 AM
Position of the accident:	54°59,4’N 016°40,5’E
Geographical area of the incident:	South Baltic Sea, Ławica Słupska, 25 NM NNW from Ustka,
The nature of the reservoir:	Coastal sea waters
The port of berthing for both of the vessels:	Ustka
The operational condition of both vessels during the incident:	both vessels on their way to the fishing area.
The crew of the “Hunter”:	2 persons + 12 passengers
The crew of the “Amelia Max”:	3 persons + 19 passengers



The weather:	Wind SE 4-5 B, sea conditions 2-3, air temperature +7 °C, visibility: 6-7 NM.
Consequences of the accident for people:	None of the crew and passengers of both vessels were injured
Consequences of the accident for yachts:	The "Hunter" vessel: loss of propulsion due to damage to the propeller shaft, broken and bent railings and marks of impact on the starboard side. "Amelia Max" vessel: damaged bow, scratch marks and slight dents in the hull on the starboard side.

2.3. 2.4. Information on the involved shore entities and rescue operations

Due to the damaged propeller shaft of the "Hunter" yacht and the risk of leakage through the bushing of the propeller shaft, SAR "Huragan" vessel from BSR in Łeba and "Orkan" from the BSR in Ustka were sent to help.

The yacht was towed by the "Orkan" rescue vessel to the port in Ustka.

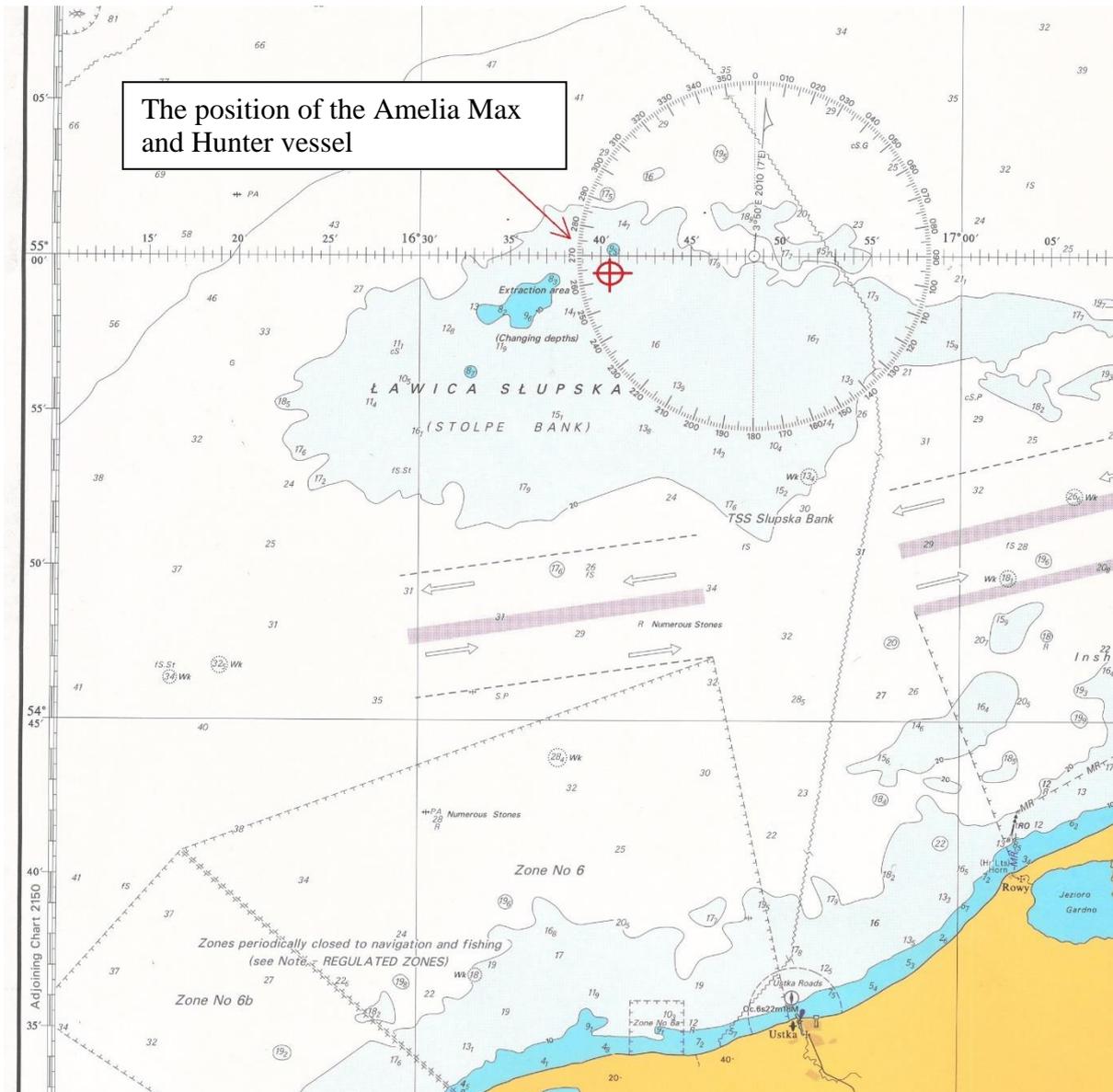


Figure 1. The position where the collision took place: "Amelia Max" and "Hunter"

3. Description of the circumstances of the accident

On December 20, 2019, at 3:10 AM the motor yacht "Amelia Max" with 19 anglers and 3 crew members on board left the port of Ustka heading north to the fishing grounds in the Ławica Słupska. Shortly after, at 3:30 AM another motor yacht, i.e. "Hunter" with 12 anglers and 2 crew members left the port of Ustka also heading for the Ławica Słupska.¹ "Amelia Max" maintained a steady course of 342° going on autopilot at a speed of about 6 knots. After a while "Amelia Max's" skipper spotted on the radar the "Hunter" yacht going at a faster speed behind

¹ At that time a total of 7 vessels with anglers went out to sea from Ustka in short time intervals. (According to the Ship Traffic Log of the Harbour Master's Office).



the stern. The vessels came closer to each other, then "Hunter" overtook the "Amelia Max" from the port side. Then, without warning, it cut across the bow to the starboard side of the "Amelia Max". Surprised by this manoeuvre the skipper of the Amelia Max yacht, using the 8 VHF channel, warned the skipper of the "Hunter" yacht that the passing distance was too small and dangerous. "Amelia Max's" yacht maintained a course of 350° and a speed of 6 knots while the "Hunter" sailed parallel to "Amelia Max" from the starboard side steering manually (no autopilot). At one point the two vessels came dangerously close to each other which forced the "Hunter's" skipper to make a decisive manoeuvre to the right and to make circulation behind "Amelia Max's" stern. After some time the "Hunter" yacht keeping the 350° course with a speed of 6.5 to 7 knots caught up again with "Amelia Max" being on its starboard side and then started overtaking manoeuvre. Meanwhile one of the anglers on board "Amelia Max" yacht while preparing fishing gear saw the approaching "Hunter" yacht from the port side. At one point he got concerned that both units were going too close to each other and neither of them changed course or speed to avoid getting too close to each other.² It was still dark at the time, just before dawn, but the contours of "Hunter" and its navigation lights were clearly visible from "Amelia Max's" deck. Angler also noticed that the lights were on in the helm of Amelia Max's yacht. He wanted to warn the skipper who was steering the yacht, but it was too late because at that point the "Hunter" yacht approached the bow of "Amelia Max's" yacht and at 7:27 AM both vessels collided. "Amelia Max" hit, with its bow, the stern section of "Hunter" from its starboard side, approx. 70 cm from the stern edge causing the Hunter to turn around sharply and a significant tilt to the port side. Anglers on board of the "Hunter" were forced to grab the railings or other deck elements for fear of falling down or falling overboard. On the "Amelia Max" yacht, just seconds before the collision, the skipper switched the engine to the "emergency full astern", but it was too late and it did not prevent the collision. As a result of the collision the "Hunter" rotated around the bow of "Amelia Max's" yacht landing at its starboard side. Vessels rubbed against each with their starboard sides and going in opposite directions the yachts moved away from each other. At the moment of the collision when the Hunter yacht was tilted to its port side, it was likely that the element of the stem of "Amelia Max's" protruding in the underwater

² The manoeuvres of both vessels were established on the basis of the hearing of both skippers who were at the steer and the witness, an angler present on board of "Amelia Max" shortly before the collision and during the collision. There are no recordings of the movement of ships from the area where the collision occurred, located approx. 25 NM from the shoreline, and beyond the range of VTS radar and both vessels did not have an automatic identification system - AIS.

part hit the propeller of the "Hunter" yacht which resulted in tearing out and pulling out the propeller shaft from the coupling.

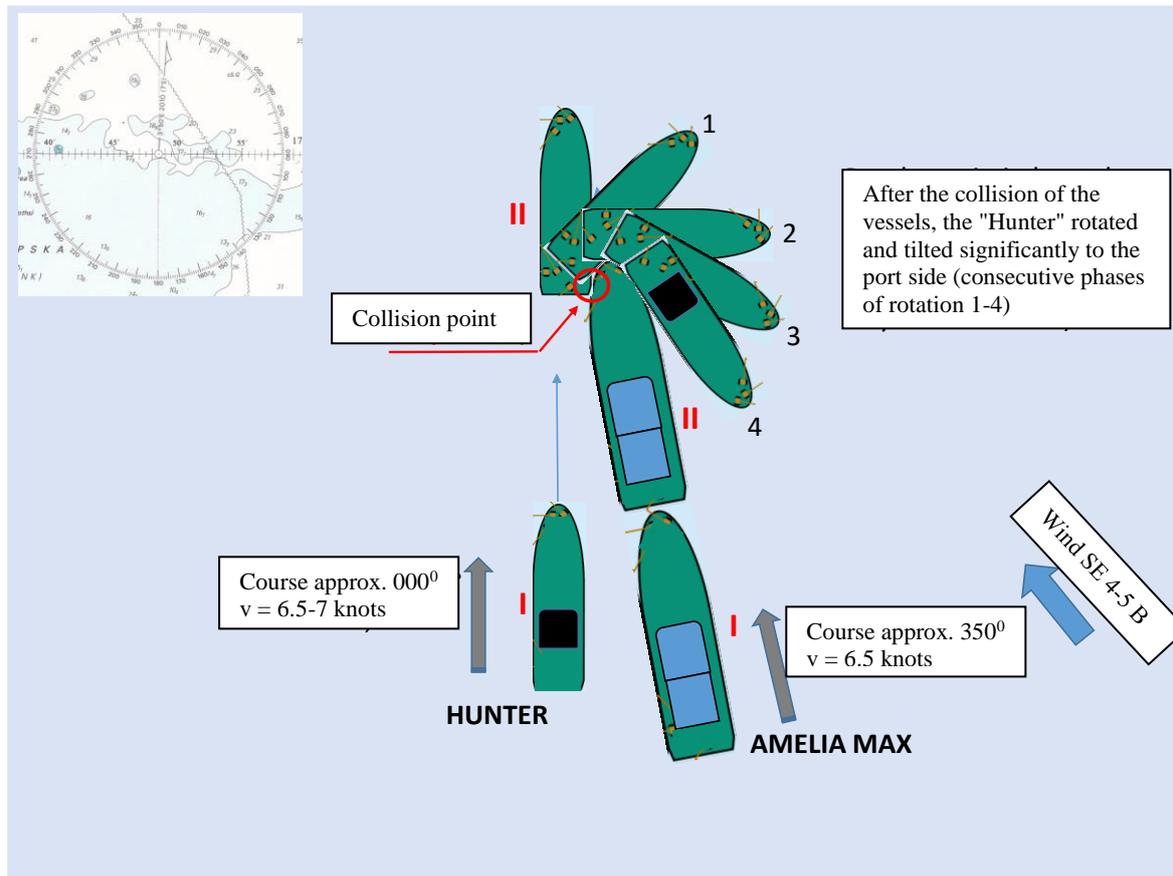
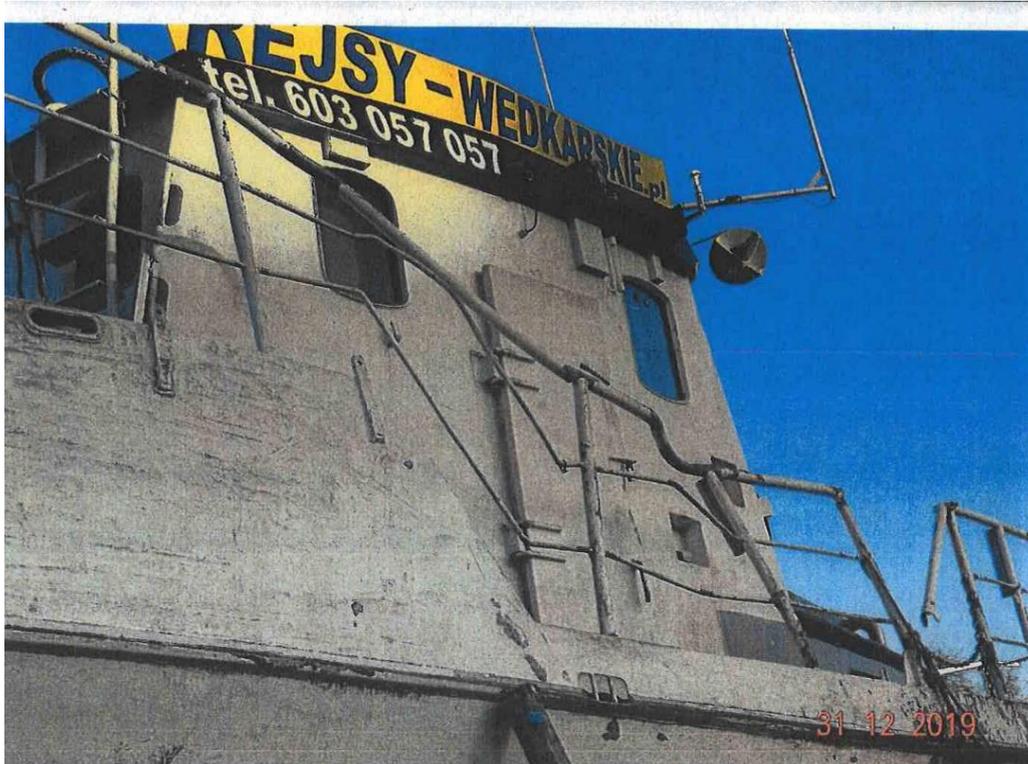


Figure 2. Successive phases of the vessels location in relation to each other (before and during the collision)

Shortly after the collision the "Amelia Max's" skipper asked the "Hunter's" skipper via VHF if anyone was hurt and whether there are any leaks in the hull. The answer was no, as no damage to the propelling system was detected at that time. It is only after a few minutes that the "Hunter's" skipper asked "Amelia Max's" skipper for assistance in towing to the port. However, the latter refused, stating that there was no danger and the "Hunter" yacht may call the ship-owner asking for another vessel to be sent to provide assistance and went on to the fishing ground. The collision was reported via VHF to VTS Ławica with information that the assistance in the form of towing is needed from the ship-owner and that there was no danger to people on board. However, after some time the skipper of the vessel changed his mind because he feared that the propeller shaft might completely pull out and water may get inside the vessel. Therefore at 8:37 AM, he asked via VTS for towing assistance. At 8:42 AM, two SAR vessels, i.e.

"Huragan" and "Orkan" were ordered to go into action to provide assistance to the yacht. At 10:55 AM, "Orkan" SAR vessel took the "Hunter" yacht under the tow and a second "Huragan" SAR vessel sailed alongside in assistance it was released from at 12:00 PM. At 4:05 PM the "Hunter" yacht moored to the wharf in the port of Ustka.



Picture 3. "Hunter" yacht - damage to the railings and starboard plating in the stern board section (next to bridge)



Picture 4 a and b. "Hunter" yacht - damage to the bridge from the starboard side of the stern board section.



Picture 5. "Hunter" yacht, - damaged and pulled out, by 12 cm, propeller shaft.



Picture 6. "Hunter" yacht - propeller shaft torn out from the coupling.



Picture 7. "Amelia Max" yacht - damaged bow and dents in the hull plating.



Picture 8. "Amelia Max" yacht, - the bow before the collision.



4. Analysis and comments on the factors that contributed to the marine accident or incident taking into account the results of the investigations.

The analysis of the following factors allowed to determine the causes of the collision of yachts.

4.1. Mechanical factors

Mechanical factors had no influence on the collision and its occurrence. Both vessels were operational and are relatively new, sufficiently equipped with hardware and systems that affect safety. The radars on both vessels ensured proper night-time look-out. Only in terms of the consequences of damage to the "Hunter" vessel, it seems obvious that big difference in the size of both vessels, i.e. "Amelia Max" - length 17.8m, width 5.2m, and "Hunter" length 10.6m, width 3.6m had an impact. The impact of the large, massive "Amelia Max" vessel against the much smaller "Hunter" caused it to rotate and tilt, and consequently, damage to the propeller shaft and local damage to the railings and parts of the bridge and the hull. In addition, it put people on board at risk of falling overboard or body injury.

4.2. Human factors (mistakes and omissions)

According to the opinion of the Commission, during the keeping of the watch on "Amelia Max" and "Hunter", navigation was not conducted in accordance with the provisions of the maritime law.

When there is a risk of a collision the lack of decisive and timely actions by helmsman to avoid a collision led to a collision of the vessels. This was due to poorly conducted look-out on both vessels, as well as poor risk assessment during navigation.

The Rule 5 of IRPCS³ states that:

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

The effectiveness of collision prevention depends decisively on keeping proper look-out. Statistics show that lack of look-out or incorrect look-out is one of the most common causes of collisions.

“The purpose of the look-out is to provide a complete assessment of the situation of one's own vessel in relation to other observed vessels and objects and, in particular, to ensure that no

³ International Regulations for Preventing Collisions at Sea



situation posing a risk of collision is taking place”⁴ “Look-out must be constant and vigilant regardless of the time of day or night, good or bad weather, whether during voyage or at anchor”⁵. Conducting proper visual look-out may have been impaired by the light turned on inside the bridge on the "Amelia Max" yacht which was noticed by an angler on the deck of this yacht before the collision. The same angler observed the situation between the two vessels. He saw the "Hunter" from the port side sailing at a slightly converging course to "Amelia Max" and without any change to its course and speed to the very end. "Amelia Max" continued its voyage at the unchanged course and at a slightly slower speed than "Hunter". According to the angler assessment, this may mean that the skippers on both vessels did not see each other because they did not change courses and speed until the very moment of the collision. The effect of emergency full astern switched on the "Amelia Max" yacht was felt just before the collision or moments after the collision by the witness standing on the deck.

Performing risky manoeuvres consisting in approaching another vessel while overtaking which was observed earlier also proves that the IRPCS rules were not respected especially by the "Hunter" yacht skipper. Failure to use the option of calling another vessel via VHF or making a sound signal to warn about a dangerous situation also demonstrates the lack of knowledge of IRPCS rules. Both vessels were equipped with radars but the Commission could not establish to what extent they were used for night-time and dawn look-out.

Daily trips with the anglers to the same fishing grounds, generally in the Ławica Słupska could lead to building a certain routine by the skippers.

All these human factors could have contributed to the collision to an equal degree.

4.3. The influence of external factors, including those related to the marine environment, on the occurrence of a marine accident

The weather conditions during the accident on December 20, 2019, in the Ławica Słupska did not affect the occurrence of the accident in the form of a collision between the two vessels. Wind SE 4-5 on a B scale, sea conditions 2 to 3, air temperature +7°C, water temperature +7°C, pressure 996 hPa, visibility 6-7 NM⁶.

⁴ *Międzynarodowe prawo drogi morskiej w zarysie*. W. Rymarz. Trademar Gdynia 2015

⁵ *Międzynarodowe prawo drogi morskiej*. Z. Koszewski, S. Gorazdowski Wydawnictwo Morskie 1965

⁶ Weather conditions at the time and place of a maritime accident according to IMWM-PIB Office of Meteorological Marine Forecasts in Gdynia and from the report on the search and rescue operation from SAR vessels.



5. The description of the results of the investigation performed including safety issues and conclusions emerging from the investigation

After conducting the analysis the Commission found that factors that influenced and consequently led to a collision of "Amelia Max" and "Hunter" yachts on December 20, 2019, at approx. 7:27 AM were as follows:

1. Lack of constant and careful visual and radar look-out in order to detect and avoid situations of excessive proximity and collision with another vessel, as well as watch-keeping on the bridge of Amelia Max's yacht with the light on impairing the look-out (which was observed by the witness shortly before the collision). It is inconsistent with the principles of safe navigation and with the IRPCS provisions.
2. Risky course crossing manoeuvres at a short-distance without any justification when sailing the high seas.
3. Failure to perform decisive manoeuvres to avoid excessive proximity situation or a "last-resort" manoeuvre by both vessels.
4. Lack of use of the VHF connection to determine the method of safe passing of vessels, as well as no audible warning to alert the other vessel and draw attention to the dangerous situation.

Bad maritime practice in the form of insufficient attention during look-out, routine behaviour not in line with the IRPCS regulations is the most frequent cause of a collision. The described accident is not a single event. The subject of look-out and the method of action taken in the event of a risk of collision was discussed in earlier reports of the PKBWM.⁷

6. Safety recommendations.

The State Commission on Maritime Accident Investigation considers justified to issue safety recommendations constituting a proposal for action which may contribute to the prevention of a similar accident in the future to the following entities:

6.1. The “Hunter” and “Amelia Max” owners

The collision described in the report could have ended in another maritime tragedy due to the failure to respect the obvious and simple rules of safe navigation. The State Commission on Maritime Accident Investigation recommends to both ship-owners careful selection of crews

⁷ Final report PKBWM WIM 32/18, WIM 51/18, WIM 92/18, WIM 24/19



for operated yachts approved for sailing as commercial yachts and adapted to conduct cruises with anglers on board.

The standard of vessels offered to anglers should also include the highest standard of safety offered by the crew operating them.

The crew, apart from having the required qualification documents, should be aware of the responsibility for the lives of anglers transported during commercial fishing trips and should guarantee respect for their profession.

Ship-owners should constantly remind the crew that they are responsible not only for the routine activities associated with a running a vessel but also for the lives of passengers often unfamiliar with a sea.

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9. Sources of information

1. Notification of an accident.
2. Materials received from the Ustka Harbour Master's Office and on both vessels.



3. Hearing of the skipper of the "Amelia Max" and the skipper of the "Hunter", and the angler on the "Amelia Max" who was a witness to the events before and during the collision.
4. Pictures taken by PKBWM members, employees of the Harbour Master's Office in Ustka and published on the Internet.

10. 9. Composition of the team investigating the accident

Team leader - Grzegorz Suszczewicz - PKBWM Deputy Chairman

Team member – Monika Hapanionek – PKBWM member