



REPÚBLICA DE ANGOLA
MINISTÉRIO DOS TRANSPORTES
INSTITUTO NACIONAL DE INVESTIGAÇÃO E PREVENÇÃO DE ACIDENTES DE TRANSPORTES
INIPAT

INSTRUCTIVE N° I002M/INIPAT/25

ON

SHIPS/CRAFTS ACCIDENTS AND INCIDENTS INVESTIGATION



INSTI002M/INIPAT/25



INSTRUCTIVE Nº I002M/INIPAT/25

SHIPS/CRAFTS ACCIDENTS AND INCIDENTS INVESTIGATION

FOREWORD

15 April 2025

This Instruction is a technical document intended to regulate the procedures for investigating maritime accidents and incidents in force at the National Institute for Transport Accident Investigation and Prevention (INIPAT). This instruction manual was produced to assist and provide the information, policies, and procedures necessary for maritime accident and incident investigation activities, both for technical personnel working at INIPAT and for the Angolan aeronautical industry.

All personnel assigned to perform tasks under this instruction must comply with the policies and procedures contained herein, in order to comply with the provisions of Angolan maritime legislation and the standards and practices of the International Maritime Organization (IMO) Code for the Investigation of Marine Casualties (Resolution MSC-255(84)) on the subject. All other relevant working documents related to these specific tasks and responsibilities shall also be taken into account.

If there is any technical guide that conflicts with this instruction, the INIPAT Directorate shall be notified in writing so that it may take the appropriate decisions on the matter. It is INIPAT's goal to produce technical documents that empower the technical staff involved in maritime incident investigation tasks.

This instruction manual will be treated as a dynamic document subject to revision, depending on amendments to Angolan maritime legislation and updates to IMO standards and recommended practices on operational safety, with particular reference to the IMO Accident Investigation Code (Resolution MSC-255(84)), with the INIPAT Directorate responsible for its regular updating.

Finally, it should be noted that all recipients and users of this instruction manual are invited to submit ideas or proposals considered relevant for the adaptation and updating of this instruction manual.

Approved by:



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INTRODUCTION

Given the need to establish requirements for the investigation of maritime accidents and incidents under the responsibility of the Angolan State;

Considering the need to comply with the IMO standards and recommended practices contained in the IMO Accident Investigation Code, which require Contracting States to investigate air accidents and incidents with a view to adopting measures to prevent similar occurrences;

Taking into account that the Angolan Merchant Shipping, Ports and Related Activities Act establishes the obligation to investigate maritime accidents and incidents involving civil ships/vessels operating throughout the national territory and in the maritime space under the jurisdiction of the Angolan State;

In accordance with the provisions of the Merchant Navy, Ports and Related Activities Act, the Maritime Accident Prevention and Investigation Commission determines the following:

Article 1 **(Purpose)**

This instruction aims to establish the requirements of the Republic of Angola regarding the investigation of maritime accidents and incidents involving civil ships or vessels throughout the national territory and outside the country with ships or vessels registered in Angola.

Article 2 **(Scope)**

This instruction is mandatory for persons acting on behalf of the National Institute for Transport Accident Investigation and Prevention (INIPAT) in the investigation of maritime accidents and incidents conducted under the responsibility of the Republic of Angola.

Article 3 **(Procedures)**

In order to ensure compliance with the purposes of this Instruction, the following procedures shall be observed:

PART A: APPLICABILITY, GENERALITIES AND DEFINITIONS

2.001 - APPLICABILITY

- (a) This Instruction establishes the requirements of the Republic of Angola applicable to all activities carried out in the wake of accident or incident investigations, including, but not limited to:
 - (1) Initial notification and subsequent reports on accidents and incidents involving ships or vessels of Angolan maritime registration, whether public or private, wherever they occur;



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- (2) Initial notification and subsequent reports on accidents and incidents involving foreign-registered ships or vessels occurring in the territory of the Republic of Angola;
- (3) Preservation of wreckage, cargo, mail and records relating to ships or vessels involved in accidents and incidents in the territory of the Republic of Angola.
- (b) This Instruction applies to all persons, organizations and entities operating civil ships or vessels under Angolan maritime law and throughout the territory under the jurisdiction of the Angolan State.
- (c) This Instruction also applies to all persons, organizations, entities and States involved in the investigation of accidents and incidents involving manned ships or vessels occurring in the territory of the Republic of Angola or in maritime waters under Angolan jurisdiction.
- (d) The specifications relating to the State of the Shipowner shall apply only when the ship or vessel is chartered, leased or shared (intercharged) and when that State is not the State of Registration and delegates, in whole or in part, the functions and obligations relating to the IMO Accident Investigation Code to the Flag State.

2.003 - GENERALITIES

- (a) Purpose of Investigation – The sole purpose of all maritime accident and incident investigation processes conducted by INIPAT is to prevent similar occurrences in the future and is never intended to assign blame or liability.
- (b) Independence of Investigations – Angola has established an accident investigation authority that is independent of the maritime authority and other entities that may interfere with the conduct or objectivity of a maritime safety investigation.
- (c) Angola's Responsibility as the State of Occurrence Regarding the Protection of Evidence, Custody and Removal of the Ship or Craft:
 - (1) Angola, as the State of occurrence, shall take all reasonable measures to protect evidence and maintain secure custody of the ship or craft and its contents for a period necessary for the purposes of a maritime safety investigation. The protection of evidence shall include the preservation, by photography or other means, of any evidence that may be removed, paid, lost or destroyed. Secure custody shall include protection against further damage, access by unauthorised persons, theft and deterioration;
 - (2) If requested by the States of Registry, the Shipowner, the Design State and the State of Manufacture, Angola shall take all necessary steps to ensure that the ship or vessel, its contents and any other evidence remain untouchable prior to inspection by an accredited representative of one of these States until it is practical and compatible with the conduct of the maritime safety investigation. Such a procedure is conditional upon the ship or craft being able to be moved to a location necessary for the removal of persons, animals, mail and valuables, to prevent destruction by fire



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or other causes, or to eliminate any danger or obstruction to air navigation, other transport or the public, and taking into account that such a procedure will not result in a delay in the return of the ship or craft to service;

- (3) Angola, as the State of occurrence, shall release the custody of a ship or vessel, its contents or any parts thereof, as soon as they are no longer required for the investigation, to any person or persons duly designated by the State of Registry or the State of the Shipowner, as applicable, and also when access to the area where the ship or vessel, its contents or any part thereof are located is impracticable.

2.005 - DEFINITIONS

(a) When used in this Instruction, the following definitions apply:

- (1) **«Initial Action»** - A set of preliminary measures taken at the scene of the occurrence by the marine Accident Investigation Authority as soon as it becomes aware of an occurrence.
- (2) **«Maritime Accident (Maritime Event)»** - an event or sequence of events that has resulted in any of the following occurrences directly related to the operations of a ship:
- (i) The death of a person or serious injury to a person;
 - (ii) The loss of a person from a ship;
 - (iii) The loss or presumed loss or abandonment of a ship;
 - (iv) Material damage to a ship;
 - (v) The grounding or incapacitation of a ship or the involvement of a ship in a collision;
 - (vi) Material damage to maritime infrastructure unrelated to a ship, which could seriously endanger the safety of the ship, another ship or a person;
 - (vii) Serious damage to the environment or the possibility of serious damage to the environment caused by damage to a ship or ships.
- (3) **«Very serious maritime accident»** - means a maritime accident resulting in the total loss of the ship or a death or serious damage to the environment;
- (4) **«Shipping Agent»** - any person, natural or legal (as defined in the IMO Accident Investigation Code);
- (5) **«High Seas»** - has the meaning defined in Article 86 of the United Nations Convention on the Law of the Sea;
- (6) **«Shipowner»** - means any person, organization or company involved in the operation of a ship or craft.



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- (7) **«Maritime safety investigation authority»** - means an authority of a State responsible for conducting investigations in accordance with the IMO's Code for the Investigation of Accidents (CIA);
- (8) **«Communication»** - The act of any person, whether or not belonging to the maritime community, informing INIPAT, directly or through a public organization, of an incident involving a ship or vessel that they have witnessed or become aware of;
- (9) **«Adviser»** - A person appointed by a State, on the basis of their qualifications, to advise its accredited representative in an investigation.
- (10) **«Material damage»** - damage that:
- (i) Significantly affects the structural integrity, performance or operational characteristics of the maritime infrastructure or a ship;
 - (ii) Requires major repairs or the replacement of one or more important components;
 - (iii) Results in the destruction of the maritime infrastructure or the ship.
- (11) **«Serious environmental damage»** - means damage to the environment which, as assessed by the affected State or States or the flag State, has a major harmful effect on the environment;
- (12) **«Coastal State»** - means a State in whose territory, including its territorial sea, a maritime accident or incident occurs;
- (13) **«Flag State»** - means a State whose flag a ship is entitled to fly;
- (14) **«Substantially Interested State»** - a State:
- (i) Which is the Flag State of a ship involved in a maritime accident or incident;
 - (ii) Which is the Coastal State involved in a maritime accident or incident;
 - (iii) Whose environment has been seriously or significantly damaged by a maritime accident;
 - (iv) In which the consequences of a maritime accident or incident seriously damage that State or artificial islands, installations or structures over which it has jurisdiction;
 - (v) In which, as a result of a maritime accident, citizens of that State have lost their lives or suffered serious injury;



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- (vi) It has at its disposal important information that the State or States investigating maritime safety consider useful for the investigation;
- (vii) It has for some other reason an interest that is considered significant by the State or States investigating maritime safety.
- (15) **«Maritime Safety Investigating State(s)»** - means the flag State or, where appropriate, the State(s) which assume(s) responsibility for conducting the maritime safety investigation, as mutually agreed in accordance with the IMO Code for the Investigation of Marine Casualties (CIMC);
- (16) **«State of Design»** - means the State which has jurisdiction over the organization responsible for the design of the ship or craft.
- (17) **«State of Construction»** - means the State which has jurisdiction over the organization responsible for the final assembly of the ship or craft.
- (18) **«State of Occurrence»** - means the State in whose territory an accident or incident has occurred.
- (19) **«State of the Owner»** - State in which the owner has its principal place of business or, if it has no principal place of business, its permanent residence.
- (20) **«State of Registry»** - State in which the ship or craft is registered.
- (21) **«Factual Factor»** - actions, omissions, events or conditions without which (as defined in the IMO Accident Investigation Code);
- (22) **«Fatal Injury»** - Any injury that causes death within thirty days of the accident.
- (23) **«Serious injury»** - means an injury sustained by a person which results in the person being unable to carry out their normal activities for more than 72 hours, starting seven days after the date of the injury;
- (24) **«Voyage data recorder»** - Any type of recorder installed on a ship or craft for the purpose of supplementing accident/incident investigation.
- (25) **«Maritime incident»** - an event or sequence of events, other than a maritime accident, which occurred directly in connection with the operation of a ship and which endangered or could have endangered the safety of the ship, its occupants, any person or the environment;
- (26) **«INIPAT»** - National Institute for Transport Accident Investigation and Prevention.
- (27) **«Maritime safety investigation»** - investigation or inquiry into a maritime accident or incident conducted for the purpose of preventing similar maritime accidents or incidents in the future,



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covering the collection and analysis of evidence, the identification of causal factors and the formulation of necessary safety recommendations;

- (28) **«Investigator-in-charge»** - A person who, on the basis of their qualifications, is responsible for organizing, conducting and controlling an investigation.
- (29) **«Seafarer»** - Any person who is employed or engaged in any capacity on board a ship;
- (30) **«Notification»** - The act of informing INIPAT in writing, using a standard form, of the details of a maritime incident;
- (31) **«Civil Ship/Vessel»** - Any ship/vessel that is not a State aircraft.
- (32) **«Interested Party»** - An organization or person who, as determined by the State or States conducting a maritime safety investigation, has significant interests, rights or legitimate expectations in relation to the outcome of a maritime safety investigation;
- (33) **«Maximum Weight»** - The maximum certified sea-going weight of a ship/vessel.
- (34) **«Maritime safety record»** - Records collected for a maritime investigation, including:
 - (i) Witness statements for maritime safety investigation purposes;
 - (ii) Communications between persons concerning the operation of a ship;
 - (iii) Medical or personal information about persons involved in the maritime accident or incident;
 - (iv) Records of the analysis of information or material relating to evidence obtained during a maritime safety investigation;
 - (v) Information obtained from voyage data recorders.
- (35) **«Maritime safety investigation report»** - means a document that must contain:
 - (i) A general summary of the information on the facts of a maritime accident or incident;
 - (ii) Identification of the flag State, shipowners or operators;
 - (iii) Where relevant, details of the dimensions of the machinery of the ship involved, description of the crew, work routine, length of service on the ship and other necessary information;
 - (iv) A detailed narrative of the circumstances of the maritime accident or incident;
 - (v) An analysis and comments on causal factors, including mechanical, human and organizational factors;



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- (vi) An examination of the results of the maritime safety investigation (identification of safety-related issues and conclusions of the maritime safety investigation);
- (vii) Where appropriate, safety recommendations to prevent the occurrence of similar maritime accidents or incidents in the future.
- (36) **«Operational Safety Recommendation»** - A proposal by an accident investigation authority, based on information derived from an investigation, made with the intention of preventing accidents or incidents and which should not be intended to create a presumption of blame or liability for an accident or incident. In addition, operational safety recommendations from accident and incident investigation processes may result from a variety of sources.
- (37) **«Safety Recommendation of Global Concern (SRGC)»** - An operational safety recommendation related to systemic deficiencies with a probability of recurrence with significant consequences at a global level and requiring timely action to enhance operational safety.
- (38) **«Accredited Representative»** - A person designated by a State, on the basis of their qualifications, for the purpose of participating in an investigation conducted by another State. The accredited representative should normally be from the accident investigation authority.
- (39) **«Preliminary Report»** - A communication used for the rapid dissemination of data obtained during the initial stages of the investigation.
- (40) **«Exclusive Economic Zone»** - exclusive economic zone as defined by Article 55 of the United Nations Convention on the Law of the Sea.

PART B: MANDATORY STANDARDS

2.007 - MARITIME SAFETY INVESTIGATION AUTHORITY

- (a) Angola shall provide the International Maritime Organization (IMO) with detailed contact information for the maritime safety investigation authority responsible for conducting maritime safety investigations on behalf of the Angolan State.

2.009 - NOTIFICATION

- (a) When a maritime casualty occurs on the high seas or in an exclusive economic zone, the Angolan State, as the flag State of the ship or ships involved, shall notify other substantially interested States as soon as reasonably practicable.
- (b) When a maritime casualty occurs in the territory, including the territorial sea, of a coastal State, Angola, as the flag State, and the coastal State shall notify each other and jointly notify other substantially interested States as soon as reasonably practicable.



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- (c) Notification shall not be delayed due to lack of complete information.
- (d) The notification shall contain as much of the following information as possible:
 - (1) the name of the ship and its Flag State;
 - (2) the IMO ship identification number;
 - (3) the nature of the marine casualty;
 - (4) the location of the marine casualty;
 - (5) the time and date of the marine casualty;
 - (6) the number of any persons seriously injured or killed;
 - (7) the consequences of the marine casualty for persons, property, and the environment; and
 - (8) the identification of any other ship involved.

2.009.1 - IMMEDIATE NOTIFICATION

- (a) The owner of any civil ship or vessel, national or foreign, must immediately notify INIPAT, by the most expeditious means possible, of the occurrence of any of the accidents or incidents listed below:
 - (1) Failure or malfunction of the ship's or vessel's control systems;
 - (2) Inability of any seaman in the crew of a ship or vessel to perform his or her normal duties as a seaman as a result of injury or illness;
 - (3) Failure of structural components of turbine engines, excluding the compressor, blades and turbine bodies;
 - (4) Fires during sea voyage;
 - (5) Collisions of ships or moving vessels;
 - (6) In the case of ships or large multi-engine vessels:
 - (i) Failure of electrical systems on a sea voyage that requires the prolonged use of emergency systems powered from alternative sources such as batteries, auxiliary power units to maintain control of the ship or vessel or essential instruments;
 - (ii) Failure of hydraulic systems during the sea voyage resulting in prolonged dependence on other hydraulic or mechanical systems to move the control surfaces of the ship or vessel;
 - (iii) Prolonged loss of power or traction produced by two or more engines; and
 - (iv) Any disembarkation from the ship or vessel in which emergency evacuation systems are used



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- (b) This requirement for initial notification to INIPAT also applies to cases in which the ship or vessel is not contactable for considerably long periods, to be made by the body closest to maritime traffic services.

2.009.2 - OBTAINING DECLARATIONS AND TESTIMONIALS

- (a) Owners of civil, public or foreign ships or vessels must, within ten days following the accident or incident, for which immediate notification is mandatory, or within seven days after the declaration that the ship or vessel is uncontactable, submit a report in the format approved by INIPAT.
- (a) Each crew member, if in adequate psychophysical condition, must prepare a written statement describing his version of the facts, conditions and circumstances relating to the maritime incident or accident. If the crew member is incapacitated, such declaration must be made at the time he or she is able to do so.
- (b) The Investigator-in-Charge, in connection with the investigation of any accident or incident, may take statements from any person who has information relevant to the investigation. These statements are confidential regarding the identity of the witnesses and are solely aimed at the objectives of the investigation.
- (c) The shipowner, owner or lessee of a ship or vessel involved in an accident or incident must submit all declarations directly to INIPAT at the following addresses:
- (1) INIPAT: Rua 21 de Janeiro, Domestic Terminal of the "4 de Fevereiro" International Airport, Luanda - Angola
- (2) Tel.: +244 227 280 559, Telefax: +244 227 280 562, Cell: +244 921767587/+244 921767930
- (3) Email: dg@inipat.gov.ao; dgat@inipat.gov.ao; notifica@inipat.gov.ao; dpeti@inipat.gov.ao; diaa@inipat.gov.ao.

2.009.3 - NOTIFICATION TO INTERNATIONAL ORGANIZATIONS AND ENTITIES

- (a) Whenever it receives notification about the occurrence of an accident or incident, involving ships or vessels of Angolan or foreign registration occurring in the territory of the Republic of Angola, INIPAT will notify with the minimum delay and through the most expeditious means possible:
- (1) The State of registration, if foreign-registered ships or vessels are involved;
- (2) The shipowner's State, if foreign;
- (3) The design state of the ship or vessel;
- (4) The state of manufacture of the ship or vessel;
- (5) The International Maritime Organization (IMO), when the ship or vessel involved has a tonnage exceeding 50 tons.

Note 1: *The most expeditious means of communication may be: Telephone, Fax or e-mail.*



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Note 2: *Notification to the Flag State when an Alert phase occurs will be carried out by the Search and Rescue Service.*

- (b) Whenever it becomes aware of an accident or incident, of which the State of occurrence is not aware, INIPAT will notify the States described in paragraph (a).
- (c) Notification will be made in clear language in one of the official working languages of the IMO, taking into account, as far as possible, the language spoken in the notified States and contain the maximum amount of information readily available, without being delayed due to lack of information. The format and content of the notification must include:
 - (1) The acronyms ACCID for accidents and INCID for incidents;
 - (2) The manufacturer, model, nationality, registration marks and serial number of the ship or vessel;
 - (3) The name of the owner, shipowner or lessee of the ship or vessel;
 - (4) Qualification of the captain and the nationality of crew members and passengers;
 - (5) The date and time (in local time or in Coordinated Universal Time) of what happened;
 - (6) Last point of departure and the planned destination point for the ship or vessel to dock;
 - (7) The geographical position of the ship or vessel, referenced in latitude and longitude;
 - (8) The number of crew and passengers on board who have suffered serious injuries or fatal injuries;
 - (9) Description of the accident or incident and the extent of known damage to the ship or vessel;
 - (10) Indication of the nature and depth of the investigation to be conducted or if there is an intention to delegate the investigation to another State or organization;
 - (11) The physical characteristics of the area of the accident or incident, including an indication of access difficulties or special precautions for access to the accident site;
 - (12) Identification of the notifying authority, means of permanent contact with the investigating authority of the State of Occurrence and with the responsible investigator; and
 - (13) Presence and description of dangerous goods on board the ship or vessel.
- (d) Whenever notified by other States about the occurrence of an accident or incident, involving Angolan-registered aircraft or those operated by national companies, INIPAT will acknowledge receipt of the notification made and provide, as quickly as possible, all pertinent information about the ship or vessel, its crew, dangerous goods transported on board, and about the intention to appoint accredited representatives in the investigation, indicating the names, contacts and expected arrival dates.



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- (e) Whenever possible, INIPAT will send updated reports containing additional detailed information that is known to it and that has not been previously provided.
- (f) INIPAT will institute an investigation into accidents and incidents involving civil ships or vessels flying the flag of the Republic of Angola.
- (g) INIPAT may delegate to another State or regional accident investigation organization, in whole or in part, the conduct of the investigation, by mutual agreement and consent. In either case, INIPAT will facilitate the investigation.

2.011 – INVESTIGATION

2.011.1 - REQUIREMENT TO INVESTIGATE VERY SERIOUS MARITIME CASUALTIES

- (a) Angola must conduct a maritime safety investigation into any very serious maritime casualty.
- (b) Angola, as the flag State of a ship involved in a very serious maritime casualty, is responsible for ensuring that a maritime safety investigation is conducted and completed in accordance with the IMO Casualty Investigation Code (MSC-255(84)).

2.011.3 - RESPONSIBILITY FOR INSTITUTION AND CONDUCTION OF INVESTIGATION

- (a) INIPAT is responsible for fulfilling Angola's obligations relating to the implementation of the standards and recommended practices of the IMO Accident Investigation Code (CIA), in line with the requirements inherent to its responsibilities towards other bodies of the Government of Angola. The sole objective of investigating an accident or incident must be the prevention of accidents or incidents, and should never be aimed at attributing blame or responsibility.
- (b) INIPAT, upon becoming aware of an accident or serious incident, will immediately initiate an investigation, through the designation of an Investigator-in-Charge (IR) and the appointment of an Investigation Committee, as necessary.
- (c) INIPAT, if requested by the State conducting the investigation, will make available all pertinent information relating to any organization, based in Angolan territory, that has directly or indirectly influenced the operation of the injured ship or vessel.

Note 1.- *The IMO Accident Investigation Code (MSC-255(84)) contains specific requirements for the notification, investigation and reporting of certain accidents and incidents involving the Merchant Marine.*

- (d) If the State of occurrence, responsible for the investigation, whether Contracting or not, does not institute and conduct an investigation and does not delegate the investigation to another State or to a regional accident and incident investigation organization, as established in the IMO Accident Investigation Code, Angola (such as State of Registration, Shipowner, Project or Manufacturing), it will officially request in writing the State of Occurrence to delegate to itself the conduct of such



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investigation. If you do not receive a response within 30 days, Angola will conduct the investigation using the information that is available.

Note 1.- *The investigation of a serious incident cannot exclude other types of investigation of ongoing incidents (serious or not) by other organizations.*

Note 2. - *When the entire investigation is delegated to another State or to a Regional Accident and Incident Investigation Organization, such State shall be responsible for conducting the investigation, including issuing the Final Report and Accident Data Report. When only one investigative party is delegated, the Occurring State generally retains responsibility for conducting the investigation.*

Note 3. - *In the case of investigating a system of unmanned maritime devices, only vehicles with approved design and/or operation must be considered.*

Note 4. - *In the case of serious incidents, the State of Occurrence may delegate the investigation to the State of Registration or the State of the shipowner, taking into particular consideration those occurrences in which it deems it beneficial or more practical for one of these States to conduct the investigation.*

Note 5. - *The delegation of an investigation does not exempt the State of Occurrence from its obligation under the IMO Accident Investigation Code.*

2.011.5 - ACCIDENTS OR INCIDENTS IN THE TERRITORY OF THE CONTRACTING STATE

(a) Angola as State of Occurrence. Angola, as a Contracting State to the IMO, will institute an investigation in the circumstances of an accident or serious incident and be responsible for the conduct of the investigation, but may delegate all or any part of the conduct of such investigation to another State or to a regional accident and incident investigation organization, through mutual agreements and consent. In any event, Angola, as the State of Occurrence, will use all means to facilitate the investigation.

Note 1: *Angola, as a State of Occurrence, will institute an investigation in the circumstances of a serious incident, when the ship or vessel has a maximum weight exceeding 2250 kg, and may delegate all or any part of such investigation to another State or to a regional accident and incident investigation organization by mutual agreement and consent, using all means to facilitate the investigation.*

Note 2: *When Angola delegates the entire investigation to another State or to a regional accident and incident investigation organization, such State or Organization will be responsible for conducting the investigation, including issuing the Final Report and Accident Data Report (ADREP).*

Note 3: *When an investigative part is delegated, Angola, as the State of Occurrence, remains responsible for conducting the investigation.*



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Note 4: *In the case of investigating an incident or accident with an unmanned maritime device, an investigation is only instituted if it has approval for the project and/or its operation.*

Note 5: *In the case of serious incidents, Angola, as the State of Occurrence, may consider the possibility of delegating the investigation to the State of Registration or State of the Operator, particularly in those occurrences in which it may be more beneficial or more practical if another State conducts the investigation.*

2.011.7 - ACCIDENTS OR INCIDENTS IN THE TERRITORY OF A NON-CONTRACTING STATE

- (a) Angola as State of Registration. When an accident or serious incident occurs in the territory of a Non-Contracting State, which does not intend to conduct an investigation under the circumstances of the IMO Accident Investigation Code, Angola, as the State of Registration and with the support of the Owner, Design and Manufacturing States, will institute and conduct an investigation in cooperation with the State of Occurrence.

2.011.9 - ACCIDENTS OR INCIDENTS OUTSIDE THE TERRITORY OF ANY STATE

- (a) Angola as Flag State. When the location of the accident or serious incident cannot be definitively established as being within the territory of any State, Angola, as State of Registry, will institute and conduct any necessary accident or serious incident investigation. Meanwhile, Angola may also delegate all or part of the investigation to another State or to a regional accident and incident investigation organization by mutual agreements and consent.

Note 1. *Angola, if close to the site of an accident in international waters, will provide necessary assistance within its capabilities, responding, whenever possible, to requests from the State of Registry.*

Note 2. *Whenever an accident or incident occurs in international waters covered by the Vessel Traffic Service (VTS), INIPAT will provide all possible assistance in response to requests made by the State responsible for the investigation.*

2.011.11 - NATURE OF THE INVESTIGATION

- (a) Accident and incident investigations are conducted by INIPAT for the sole purpose of determining the facts, conditions and circumstances relating to the likely contributing factors in their occurrence. The results achieved after the investigation serve to establish measures that enable the prevention of future accidents or similar incidents.
- (b) The investigation, conducted by judicial authorities, aimed at determining administrative or judicial responsibilities is conducted separately from the technical investigation.



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Note 1: *Separation between the investigation conducted by INIPAT and that conducted by judicial authorities can be achieved, without prejudice to the coordination of the two entities at the scene of the accident, in the collection of factual information.*

- (c) The investigation includes actions on the ground (examination of the wreckage, collection of statements at the accident site, etc.), preparation of reports, and whenever necessary interviews with witnesses.
- (d) The results of the investigation allow INIPAT to issue reports or brief notes on the maritime accident or incident. Accident/incident investigations are not intended to blame, identify responsibilities or determine the rights of any person. They focus on establishing the facts without formalized accusations or litigating parties.
- (e) INIPAT will promote coordination between the Principal Investigator and the Judicial Authorities. Special consideration must be given to evidence that requires rapid recording and subsequent analysis in order to make the investigation effective, in particular medical examinations, identification of victims and reading of flight recorders.

2.011.13 - ORGANIZATION AND CONDUCTION OF RESEARCH

- (a) Angola, as the State conducting the investigation, can resort to requesting better technical experts from any source.

2.011.13.1 – GENERAL

- (a) Angola shall ensure that its national laws provide the investigator, or investigators, carrying out a maritime safety investigation, the ability to enter on board a vessel, interview the master, crew and any other person involved, and obtain material relating to evidence for the purposes of a maritime safety investigation.
- (b) INIPAT is responsible and has independence of action and unlimited access to, on behalf of the Angolan State, conduct the investigation of all maritime incidents and accidents occurring in Angolan territory, involving ships or civil vessels of Angolan or foreign registration, including:
 - (1) The collection, recording and analysis of all relevant information about the accident or incident;
 - (2) The protection of certain accident and incident investigation records;
 - (3) If appropriate, issuing operational safety recommendations;
 - (4) If possible, determine the causes and/or contributing factors;
 - (5) Preparation of the Final Report.



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Note: *When possible, the accident site should be visited, the wreckage examined, witness statements taken. The extent of the investigation and the procedure to be followed in its conduct must be determined by INIPAT, depending on the lessons expected from the investigation process to promote operational safety.*

- (c) *Any investigation conducted by INIPAT under the circumstances of the IMO Accident Investigation Code must be separate from any judicial or administrative investigation to determine fault or liability.*
- (d) *INIPAT shall develop detailed policy and procedure documents regarding its tasks, including organization and planning, investigation and reporting of information.*

2.011.13.2 - PARTICIPATION OF OTHER STATES

2.011.13.2.1 - RIGHTS

- (a) Any State that, at the request of the Angolan State, provides information, facilities or experts, may appoint an accredited representative to participate in the investigation.

Note: *Any State that provides an operational base for the field investigation, or that is involved in search and rescue operations, wreck recovery, or involved as a code-sharing State or shipowner alliance, may also nominate an accredited representative to participate in the investigation.*

2.011.13.2.2 - APPOINTMENT OF ACCREDITED REPRESENTATIVES AND CONSULTANTS

- (a) States participating in an investigation may draw on the best technical experts from any source and appoint such experts as consultants to their accredited representatives.

Note: *See the provisions for facilitating the entry of accredited representatives, their consultants and equipment in the specific documents of each Country.*

- (b) Consultants, who advise accredited representatives, are permitted, under the supervision of the Investigator In Charge, to participate in the research, within the limits of activity of the accredited representatives.

2.011.13.2.3 - AREAS OF ACTIVITY

- (a) Participation in research will give accredited representatives the right to participate in all aspects of research, under the control of the Principal Investigator, in particular to:
 - (1) Visit the accident site;
 - (2) (ii) Examine the wreckage;
 - (3) (iii) Obtain information from witnesses and suggest areas for questioning;



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- (4) (iv) Have full access to all relevant evidence as soon as possible;
- (5) (v) Receive copies of all relevant documents;
- (6) (vi) Participate in reading the records of travel data recorders;
- (7) Participate in investigation activities outside the accident site, such as component examinations, technical meetings, testing and simulations;
- (8) Participate in research progress meetings, including deliberations related to analysis, findings, causes, contributing factors and operational security recommendations;
- (9) Make submissions in relation to various elements of the investigation.

Note 1: *The participation of States other than the States of Registration, Shipowner, Design and Manufacture may be limited to those matters for which they have been authorized to participate.*

Note 2: *The form of participation will be subject to the procedures of the State that conducts the research or part of it.*

2.011.13.2.4 - OBLIGATIONS

(a) *Accredited Representatives and their Consultants:*

- (1) *They will provide the State, which is conducting the investigation, with all relevant information available from them;*
- (2) (ii) *They will not disclose information about research progress and findings without the express consent of the State conducting the research.*

Note: *The provision on non-disclosure of information does not prevent the expeditious reporting of facts, when authorized by the State conducting the investigation, by representatives accredited to their respective States, to facilitate the taking of appropriate operational security actions.*

2.011.13.3 – STATES WHOSE CITIZENS HAVE SUFFERED SERIOUS OR FATAL INJURIES

- (a) Angola, when it has a special interest in an accident due to serious or fatal injuries to its citizens, will have the right to appoint an expert who will have the following rights:
- (1) Visit the accident site;
 - (2) Have access to relevant factual information approved for release to the public by the State conducting the investigation, and information on the progress of the investigation;
 - (3) Receive a copy of the Final Report;
 - (4) Provide assistance in identifying victims and meeting with survivors from that State.



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2.011.13.4 – INVESTIGATOR IN CHARGE (IC)

- (a) **Designation.** Angola, through INIPAT, as the State conducting the investigation, will designate an Investigator in Charge (IE) of the investigation and will immediately begin the investigation, conduct, control and manage the field phase of the investigation, regardless of whether there are other representatives of the Angolan Government at the scene of the accident or incident.
- (b) **Access and Control.** The Investigator-in-Charge has unrestricted access to the wreckage and all relevant material, including voyage data recorders and Maritime Traffic Services records, and has unrestricted control over them to ensure that detailed examinations are carried out without delay by authorized persons participating in the investigation.
- (c) **Authority.** The Investigator-in-Charge is responsible and empowered to supervise and coordinate the use of all available resources and activities of all civilian or government personnel involved in the investigation at the scene of the incident.
- (d) **Liability.** The Researcher-in-Charge maintains his organizational and management responsibilities throughout the subsequent phases of the investigation, until the moment INIPAT makes a decision on the approval of a Final Report or summary note on the probable causes.
- (e) **Right to Take Statements.** The Investigator in Charge has the right to collect statements from witnesses to a specific accident or serious incident whose investigation process falls under his responsibility.

2.011.13.5 - RECORDED DATA – ACCIDENTS AND INCIDENTS

- (a) **(a) Travel Data Recorders.** During the investigation of accidents or incidents, INIPAT must make effective use of the travel data recorders, therefore, in an expeditious manner, it must retrieve the travel data recorders and without delay arrange for the decoding, reading and analysis of the data recorded about the occurrence.
- (b) **Recommendation:** INIPAT, while there is no installed travel data recorder decoding capacity in Angola, should, if technical circumstances so require, resort to other States to provide travel data recorder reading and decoding facilities, taking into account the following:
 - (1) The capabilities of the available reading and decoding installation;
 - (2) The deadlines within which readings are made available;
 - (3) The location of reading or decoding facilities.

Note: When a ship or vessel involved in an accident or incident outside the territory of Angola docks in Angolan territory, INIPAT, at the request of the State responsible for the investigation, will keep the travel data recorders in custody and make them available to the State conducting the investigation.



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- (c) Records of Shore Recorders. During the investigation of accidents or incidents, INIPAT will make effective use of records from shore recorders, such as records of supervision data and communications from the Maritime Traffic Services.

2.011.13.6 - AUTOPSY EXAMS

- (a) INIPAT will use Forensic Medicine services to carry out, without delay, complete autopsy examinations of fatal injuries to crew members and, in particular circumstances, of particular injuries to passengers and flight attendants, by pathologists, preferably experienced in accident investigation.

Note: INIPAT representatives have the right to obtain copies of autopsy reports performed on any person who died as a result of a maritime accident occurring within their area of jurisdiction.

2.011.13.7 - MEDICAL EXAMINATIONS

- (a) INIPAT will utilize the services of specialized doctors to carry out, without delay, full medical examinations of crew members, passengers and maritime personnel who have been injured in an accident or incident, by doctors who preferably have knowledge and experience in investigating maritime accidents.

Note 1: *Medical examinations can determine whether the level of physical and psychological fitness of the crew and other personnel directly involved in the occurrence contributed to the investigation process.*

Note 2: *INIPAT representatives have the right to obtain copies of reports of medical examinations carried out on crew, passengers and maritime personnel who have suffered injuries as a result of a maritime accident that occurred within their area of jurisdiction.*

2.011.13.8 – COORDINATION WITH JUDICIAL AUTHORITIES

- (a) *INIPAT, when conducting an investigation, will recognize the need for coordination between the Principal Investigator and the judicial authorities. Special attention will be given to evidence that requires rapid recording and analysis for the success of the investigation, such as examination and identification of victims and reading records from travel data recorders.*

2.011.13.9 - INFORMATION TO MARITIME SAFETY AUTHORITIES

- (a) If during the course of an investigation an act of illicit interference is detected or suspected, the INIPAT Investigator-in-Charge will immediately initiate action to ensure that the maritime security authorities of Angola or another State involved are informed.



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2.011.13.10 - PROTECTION OF ACCIDENT AND INCIDENT INVESTIGATION RECORDS

(a) INIPAT, when conducting an accident or incident investigation, will not make the information detailed below available for purposes other than those of accident or incident investigation and prevention, unless the competent authority designated by the Angolan State determines, in accordance with national legislation, that its availability or use does not produce adverse internal and external impacts for the Country in the case of future investigations:

- (1) Records of cabin voice recorders and on-board image records and any transcriptions;
- (2) Records in the custody or control of INIPAT, such as:
 - (i) All statements taken from people by INIPAT in the course of its investigation;
 - (ii) All communication between people who were involved in the operation of the ship or vessel;
 - (iii) Medical or private information relating to the people involved in the accident or incident;
 - (iv) Records and transcripts of maritime traffic services bodies;
 - (v) Analysis and/or opinions on information, including information from travel data recorders, made by INIPAT and accredited representatives in relation to the accident or incident;
 - (vi) The Final Accident or Incident Investigation Report;
 - (vii) Any test or examination carried out in connection with the investigation of an accident or incident.

Note 1: *The information listed above will be included in the Final Report or its appendices, only when they are relevant to the analysis of the accident or incident.*

Note 2: *The names of people involved in an accident or incident will not be publicly revealed by INIPAT.*

2.011.13.11 - ANGOLA AGREEMENT, AS A FLAG STATE WITH ANOTHER SUBSTANTIALLY INTERESTED STATE TO CONDUCT A MARITIME SAFETY INVESTIGATION

- (a) *Without restricting the right of States to separately carry out their own safety investigation when a marine accident occurs in the territory, including the territorial sea, of a State, Angola, as the Flag State involved in the marine accident, and the Coastal State shall consult to seek an agreement in which States will carry out the marine safety investigation in accordance with a requirement, or a recommendation to investigate made on the basis of the IMO Accident Investigation Code (MSC-255(84)).*
- (b) *Without restricting the right of States to separately carry out their own safety investigation if a marine accident occurs on the high seas or in the exclusive economic zone of a State, and that incident involves more than one Flag State, States should consult to seek an agreement in which States carry*



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out the marine safety investigation in accordance with a requirement, or a recommendation to investigate, made on the basis of the IMO Accident Investigation Code (NSC-255(84)).

- (c) For a maritime accident referred to in subsections (1) or (2), an agreement may be reached by the relevant States with another State substantially interested, so that that State, or States, are States carrying out the maritime safety investigation.
- (d) Before reaching an agreement, or if no agreement is reached, in accordance with subsections (1), (2) and (3), the existing obligations and rights of States under the IMO Accident Investigation Code (CIA) and other international law to carry out a maritime safety investigation remain with the respective parties to carry out their own investigation.
- (e) By participating fully in a maritime safety investigation carried out by another State substantially interested, Angola, as a Flag State, will be considered to have fulfilled its obligations under the IMO Accident Investigation Code (CIA), SOLAS Rule I/21 and Article 94, section 7 of the United Nations Convention on the Law of the Sea.

2.011.13.12 - PARALLEL INVESTIGATIONS

- (a) When Angola is carrying out a maritime safety investigation in accordance with the IMO Accident Investigation Code (CIA), nothing prejudices the right of another substantially interested State to separately carry out its own maritime safety investigation.
- (b) While recognizing Angola's ability to fulfill its obligations under this IMO Accident Investigation Code (CIA), the State or States carrying out a maritime safety investigation and any other substantially interested State carrying out a maritime safety investigation should seek to coordinate the pace of their investigations to avoid, where possible, conflicting demands on witnesses and access to evidence.

2.011.13.13 - COOPERATION

- (a) Angola, as a substantially interested State, shall cooperate, as far as possible, with the State, or States, carrying out a maritime safety investigation. The State, or States, that are investigating maritime security must provide, as far as possible, the participation of Angola, as a substantially interested State.

2.011.13.14 - RESEARCH NOT SUBJECT TO EXTERNAL BOARD

- (a) Angola, when carrying out a maritime safety investigation must ensure that the investigator or investigators carrying out the maritime safety investigation are impartial and objective. The maritime safety investigation must be able to report the results of that investigation without the direction or interference of any persons or organizations that may be affected by its outcome.



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2.011.13.15 - OBTAINING SEAFARERS' EVIDENCE

- (a) When a maritime safety investigation requires a seafarer to provide evidence, the evidence must be obtained at the earliest possible opportunity. The seafarer must be allowed to return to his ship, or be repatriated at the first possible opportunity. The human rights of seafarers must always be preserved.
- (b) All seafarers from whom evidence is sought must be informed of the nature and basis of the maritime safety investigation. Furthermore, a seafarer from whom evidence is sought must be informed of the following aspects, and must be allowed access to legal advice in relation to these aspects:
 - (1) any possible risk that they may incriminate themselves in any proceedings subsequent to the maritime safety investigation;
 - (2) any right not to incriminate oneself or to remain silent;
 - (3) any protection afforded to the seafarer to prevent the evidence from being used against him if he provides the evidence to the maritime safety investigation.

2.011.13.16 - DRAFT MARITIME SAFETY INVESTIGATION REPORTS

- (a) Subject to the provisions of paragraphs (2) and (3), and when requested, Angola, when carrying out a maritime safety investigation, shall send a draft report to a substantially interested State, to enable that State to comment on the draft report.
- (b) Angola, when carrying out a maritime safety investigation, will only be obliged to comply with paragraph (1), when the substantially interested State receiving the report guarantees that it will not disseminate it or cause it to be disseminated, published or access to be given to the draft report or any part of that report without its express authorization or unless those reports or documents have already been published by Angola.
- (c) Angola, when carrying out a maritime safety investigation, shall not be required to comply with subsection (1) if:
 - (1) At its request, the State substantially interested receiving the report affirms that the evidence contained in the draft report will not be admissible in civil or criminal proceedings against a person who provided it; and
 - (2) the State substantially interested refuses to make this statement.
- (d) Angola, when undertaking a maritime security investigation, shall request substantially interested States to submit their comments on the draft report within 30 days, or within some mutually agreed period. Angola, when carrying out a maritime security investigation, must analyze the comments before preparing the final report and, when the acceptance or rejection of the comments has a direct impact on the interests of the State that presented them, Angola must notify the State substantially



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interested about the way in which the comments were treated. If Angola does not receive any comments after 30 days, or after the mutually agreed period has expired, it can then proceed and complete the report.

- (e) Angola, when carrying out a maritime safety investigation, should seek to verify by the most practical means, and to the extent possible, the accuracy of the draft report and whether it is complete.

2.011.13.17 - REPORTS OF MARITIME SAFETY INVESTIGATIONS

- (a) Angola, when carrying out a maritime safety investigation, must submit to the International Maritime Organization (IMO) the final version of a maritime safety investigation report for each maritime safety investigation carried out for a very serious maritime accident.
- (b) When a maritime safety investigation is carried out into a maritime accident or incident, other than a very serious maritime accident, and a maritime safety investigation report is prepared that contains information that may prevent the occurrence of maritime accidents or incidents in the future, or mitigate their severity, the final version shall be submitted to the International Maritime Organization.
- (c) The maritime safety investigation report referred to in paragraphs (1) and (2) shall utilize all information obtained during a maritime safety investigation, taking into account its purpose, that is necessary to ensure that all pertinent issues are included and understood so that safety action can be taken as necessary.
- (d) The final report of the maritime safety investigation must be made available to the public and the maritime navigation activity by Angola, when carrying out a maritime safety investigation, or it must undertake to assist the public and the maritime navigation activity by providing the details necessary for them to have access to the report, when it is published by another State or by the International Maritime Organization.

PART C: RECOMMENDED PRACTICES

2.013 – ADMINISTRATIVE RESPONSIBILITIES

- (a) Angola must ensure that the Maritime Safety Investigation Authority has at its disposal sufficient material and financial resources, and adequately qualified personnel, to facilitate the State's obligations to conduct maritime safety investigations of maritime casualties and incidents in accordance with the IMO Casualty Investigation Code (CIA).
- (b) Any investigator involved in a maritime safety investigation should be designated based on the expertise presented in IMO Resolutions A.996(25) and A.1075(28) and INIPAT Instruction I003M/INIPAT/25 for investigators.



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- (c) However, paragraph (2) does not preclude the appropriate designation of investigators who possess the necessary specialized knowledge to be part of a maritime safety investigation on a temporary basis, nor does it preclude the use of consultants to provide expert advice on any aspect of a maritime safety investigation.
- (d) Any person who is an investigator in a maritime safety investigation, or who is assisting a maritime safety investigation, should be required to work in accordance with the IMO Casualty Investigation Code (CIA).

2.015 - PRINCIPLES OF INVESTIGATION

- (a) **Independence:** A maritime safety investigation should be free from preconceived opinions to ensure the free flow of information.
- (b) To achieve the result referred to in paragraph (a), the investigator or investigators conducting a maritime safety investigation must have functional independence:
 - (i) from the parties involved in the maritime casualty or incident;
 - (ii) from any person who may decide on administrative or disciplinary action against a person or organization involved in a maritime casualty or incident; and
 - (iii) from judicial proceedings.
- (c) The investigator or investigators conducting a marine safety investigation shall be free from interference by the parties referred to in (i), (ii), and (iii) of paragraph (a) with respect to:
 - (i) obtaining all available information relevant to the maritime casualty or incident, including voyage data records and vessel traffic service records;
 - (ii) analyzing the evidence and determining the causal factors;
 - (iii) reaching conclusions relevant to the causal factors;
 - (iv) circulating a draft report for comment and preparing the final report; and
 - (v) making safety recommendations, if appropriate.
- (d) **Safety-focused:** The purpose of a maritime safety investigation is not to determine responsibility or assign blame. However, the investigator(s) conducting a maritime safety investigation should not refrain from providing full information about the causal factors, as the findings may lead to the inference of blame or responsibility.
- (e) **Cooperation:** Where possible and consistent with the requirements and recommendations of the IMO Casualty Investigation Code (CIA), particularly on Cooperation, Angola, when conducting a maritime safety investigation, should seek to facilitate, to the maximum extent possible, cooperation between



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substantially interested States and other persons or organizations conducting an investigation into a maritime casualty or incident.

- (f) **Priority:** To the extent possible, a maritime safety investigation should be accorded the same priority as any other investigation, including investigations of a maritime casualty or incident conducted by Angola for criminal purposes, taking into account that:
- (i) Investigators should not be prevented from accessing evidence in circumstances where another person or organization is conducting a separate investigation of a marine casualty or incident;
- (ii) Evidence to which prompt access should be provided includes:
- surveys and other records maintained by the Flag State, shipowners, and classification societies;
 - all recorded data, including from voyage data recorders; and
 - evidence that may be provided by government surveyors, coast guard officers, vessel traffic service operators, pilots, or other maritime personnel.
- (g) **Purpose of a marine safety investigation:** Correct identification of causal factors requires a methodical and timely investigation that goes well beyond the immediate evidence and addresses underlying conditions, which may be remote from the site of the marine casualty or incident and may lead to other marine casualties or incidents. Maritime safety investigations should therefore be seen as a means of identifying not only the immediate causal factors, but also failures that may be present throughout the chain of responsibility.

2.017 - INVESTIGATION OF MARITIME CASUALTIES (EXCEPT VERY SERIOUS CASUALTIES) AND MARITIME INCIDENTS

- (a) A maritime safety investigation of maritime casualties (except very serious maritime casualties, which are covered in No. 2.011 of this Instruction) and maritime incidents shall be conducted by Angola, as the flag State of a vessel involved, if it is considered likely that such investigation will provide information that can be used to prevent future maritime casualties and maritime incidents.
- (b) No. 2.011 contains the mandatory requirements for determining the State or States that will conduct the maritime safety investigation of a maritime casualty. When the occurrence being investigated under this No. is a maritime incident, No. 2.011 should be followed as a recommended practice, as if it referred to maritime incidents.

2.019 - FACTORS TO BE TAKEN INTO CONSIDERATION WHEN SEEKING TO REACH AN AGREEMENT BASED ON PART B NO. 2.011

- (a) When Angola, as a Flag State or a coastal State (if involved), or other substantially interested States, is seeking to reach an agreement under Part B No. 2.011, whereby Angola will conduct a maritime



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safety investigation based on the IMO Casualty Investigation Code (CIA), the following factors should be taken into consideration:

- (1) whether the maritime casualty or incident occurred in the territory, including the territorial sea, of Angola;
- (2) whether the ship or ships involved in a maritime casualty or incident, occurring on the high seas or in the exclusive economic zone, subsequently sailed in the territorial sea of Angola;
- (3) the resources and commitments required of Angola, as Flag State, and other substantially interested States;
- (4) the possible purpose of the maritime security investigation and the ability of Angola as Flag State, or another substantially interested State, to fulfil that purpose;
- (5) the need for the investigator or investigators conducting a maritime safety investigation to have access to evidence and to consider which State or States are best positioned to facilitate access to that evidence;
- (6) any perceived or actual adverse effects of the maritime casualty or incident on other States;
- (7) the nationality of the crew, passengers, and other persons affected by the maritime casualty or incident.

2.021 - ACTS OF UNLAWFUL INTERFERENCE

- (a) If, during the conduct of a maritime safety investigation, it becomes known or is suspected that an offense has been committed under Article 3, 3bis, 3ter, or 3quarter of the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988, the Angolan Maritime Safety Investigation Authority shall immediately ensure that the maritime safety authorities of Angola and the States involved are informed.

2.023 - NOTIFICATION TO PARTIES INVOLVED AND INITIATION OF AN INVESTIGATION

- (a) When a maritime safety investigation is initiated in accordance with the IMO Casualty Investigation Code (CIA), the master, owner, and agent of a ship involved in the marine casualty or incident being investigated must be informed as soon as possible of:
 - (1) the marine casualty or incident under investigation;
 - (2) the time and place at which the maritime safety investigation will commence;
 - (3) the name and contact details of the Maritime Safety Investigation Authority;



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- (4) relevant details of the legislation under which the maritime safety investigation is being conducted;
- (5) rights and obligations of the parties subject to the maritime safety investigation; and
- (6) the rights and obligations of the State or States conducting the maritime safety investigation.
- (b) Angola shall prepare a standard document detailing the information referred to in paragraph (1) that can be transmitted electronically to the master, the agent, and the shipowner.
- (c) Recognizing that any ship involved in a maritime casualty or incident may continue in service, and that a ship should not be delayed more than absolutely necessary, Angola, when conducting a maritime safety investigation, shall commence that investigation as soon as reasonably practicable without unnecessarily delaying the ship.

2.025 - COORDINATION OF AN INVESTIGATION

- (a) The recommendations presented in this paragraph shall be applied in accordance with the principles established in paragraphs 2.019 and 2.021 of this Instruction.
- (b) Angola, when conducting a maritime safety investigation, shall ensure that an appropriate structure exists in the country for:
 - (1) the designation of investigators for the maritime safety investigation, including an investigator to lead the maritime safety investigation;
 - (2) (ii) providing a reasonable level of support to members of the maritime safety investigation;
 - (3) Developing a strategy for the maritime safety investigation in consultation with other substantially interested States;
 - (4) Ensuring that the methodology followed during the maritime safety investigation is consistent with that recommended in Resolution A.884(21), as amended;
 - (5) Ensuring that the maritime safety investigation takes into account any recommendations or instruments published by the Organization or the International Labour Organization that are relevant to the conduct of a maritime safety investigation; and
 - (6) Ensuring that the maritime safety investigation takes into account the safety management procedures and the safety policy of the ship operator, in accordance with the ISM Code.
- (c) When conducting a maritime safety investigation, Angola should allow a substantially interested State to participate, to the extent possible, in certain aspects of the maritime safety investigation that are relevant to it.
- (d) Participation should include representatives of the substantially interested State to:



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- interview witnesses;
 - inspect and examine evidence and make copies of documents;
 - make suggestions regarding the evidence, make comments, and have their views appropriately reflected in the final report; and
 - receive the draft report and the final report relating to the maritime safety investigation.
- (e) To the extent possible, substantially interested States should assist the State or States conducting the maritime safety investigation by providing them with access to information relevant to the maritime safety investigation. To the extent possible, the investigator or investigators conducting a maritime safety investigation should also be given access to Government surveyors, coast guard officers, vessel traffic service operators, seafarers, and other maritime personnel of a substantially interested State.
- (f) Angola, as the flag State of a vessel involved in a maritime casualty or incident, must cooperate to ensure that the crew is available to the investigator or investigators conducting the maritime safety investigation.

2.027 - EVIDENCE COLLECTION

- (a) Angola, when conducting a maritime safety investigation, must not unnecessarily detain a vessel to obtain evidence or to remove original documents or equipment, unless this is essential for the purposes of conducting the maritime safety investigation.
- (b) The investigator or investigators conducting a maritime safety investigation must keep interview records and other evidence obtained during a maritime safety investigation in a secure location to prevent access by persons not required for the purposes of the investigation.
- (c) The investigator or investigators conducting a maritime safety investigation must effectively utilize all recorded data, including from voyage data recorders, if available. Voyage data recorders must be made available so that the investigator or investigators conducting a maritime safety investigation, or a designated representative, can download the necessary data.
- (d) If Angola, as the State conducting a maritime safety investigation, does not have adequate means to read voyage data recorder records, States that do have such means must offer their services, taking into account:
- (1) available resources;
 - (2) (ii) the capabilities of the medium used to read the data;
 - (3) (iii) the timeliness of reading the data; and



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- (4) (iv) the location of the medium to be used.

2.029 - CONFIDENTIALITY OF INFORMATION

- (a) Angola must ensure that the investigator or investigators conducting a maritime security investigation only disclose information contained in a maritime security investigation record when:
- (1) it is necessary or desirable to do so for transportation safety purposes, taking into account any impact on the future availability of safety information for a maritime safety investigation; or
 - (2) it is permitted under the IMO Casualty Investigation Code (CIA).
- (b) Angola, when involved in a maritime safety investigation in accordance with the IMO Casualty Investigation Code (CIA), must ensure that any maritime safety record in its possession is not disclosed in criminal, civil, disciplinary, or administrative proceedings, unless:
- (1) the appropriate authority within the Angolan judiciary determines that any adverse domestic or international impact that the disclosure of the information may have on any ongoing or future safety investigations will be outweighed by the public interest in the administration of justice; and
 - (2) (ii) when appropriate in the circumstances, Angola authorizes its disclosure when providing the maritime safety record for the maritime safety investigation.
- (c) Maritime safety records should only be included in the final report, or its appendices, when they are relevant to the analysis of the maritime casualty or incident. Any portions of the records that are not relevant and not included in the final report should not be disclosed.
- (d) Angola is only required to provide information contained in a maritime safety record to a substantially interested State when doing so would not compromise the integrity and credibility of any maritime safety investigation being conducted.
- (e) Angola, when providing information contained in a maritime safety record, may require the receiving State to maintain its confidentiality.

2.031 - PROTECTION OF WITNESSES AND PARTIES INVOLVED

- (a) If a person is required by law to provide evidence that may incriminate him or her for use in a maritime safety investigation, the evidence must be prevented, to the extent permitted by Angolan law, from being admitted in civil or criminal proceedings against that person.
- (b) A person from whom evidence is sought must be informed of the nature and basis of the investigation. That person must be allowed access to legal counsel and informed of:
- (1) any possible risk that he or she may incriminate himself or herself in any subsequent proceedings following the maritime safety investigation;



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- (2) any right not to incriminate himself or herself or to remain silent;
- (3) any protection afforded to the person to prevent the evidence from being used against him or her if he or she provides it to the maritime safety investigation.

2.033 - DRAFT REPORT AND FINAL REPORT

- (a) Maritime safety investigation reports relating to a maritime safety investigation shall be completed as expeditiously as possible.
- (b) When requested, and whenever possible, Angola, when conducting a maritime safety investigation, should send a copy of the draft maritime safety investigation report to interested parties for their comments. This recommendation does not apply, however, when there is no guarantee that the interested party will not disseminate, cause to be disseminated, publish or give access to the draft maritime safety investigation report, or any part of that report, without the express authorization of Angola, as the investigating State.
- (c) When conducting a maritime safety investigation, Angola must grant the interested party a period of 30 days, or another mutually agreed period, to submit their comments on the investigation report. When conducting a maritime safety investigation, Angola must review the comments before preparing the final maritime safety investigation report. When accepting or rejecting the comments directly impacts the interests of the interested party who submitted them, Angola must notify the interested party of how their comments were handled. If Angola, when conducting a maritime safety investigation, does not receive any comments after the 30 days have elapsed, or after the mutually agreed period has expired, it may proceed and complete the final maritime safety investigation report.
- (d) Where permitted by Angolan law, when Angola is preparing the maritime safety investigation report, the draft and final reports should be prevented from being admissible as evidence in proceedings related to the maritime accident or incident, which could lead to disciplinary action, criminal conviction, or determination of civil liability.
- (e) Interim safety measures may be recommended at any stage of a maritime safety investigation.
- (f) When Angola, as a substantially interested State, disagrees with all or part of the final maritime safety investigation report, it may submit its own report to the International Maritime Organization (IMO).



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2.035 - REOPENING AN INVESTIGATION

- (a) Angola, after concluding maritime safety investigations, must reconsider its conclusions and consider reopening the investigations when new evidence is presented that could substantially alter the analysis and conclusions reached.
- (b) When significant new evidence relating to any maritime casualty or incident is presented to Angola, as a State that was conducting and had concluded a maritime safety investigation, the evidence must be thoroughly analyzed and forwarded to other substantially interested States for appropriate action.

PART D: FINAL REPORT

2.037 - ANGOLA RESPONSIBILITY

Note: *The Final Report must be prepared in accordance with the model contained in Annex 1 to this Instruction, and in accordance with the provisions of the IMO Accident Investigation Code, and must be adapted to the specificities of the maritime accident or incident.*

2.037.1 – PUBLICATION OF INFORMATION - CONSENT

- (a) Angola shall not circulate, publish or provide access to the draft Final Report, in whole or in part, or any other document obtained during the investigation of an accident or incident, without the express consent of the State that conducted the investigation, unless such reports or documents have already been published by the latter State.

2.037.2 - ANGOLA'S RESPONSIBILITY WHEN CONDUCTING INVESTIGATION

2.037.2.1 – CONSULTATION

- (a) Angola, as the State that conducted the investigation, will send a copy of the draft Final Report to the following States, requesting their significant and substantial comments on the report, as soon as possible:
 - (1) The State that established the survey;
 - (2) The State of Registration;
 - (3) The Owner's Status;
 - (4) The Project Status;
 - (5) The State of Manufacture; and
 - (6) Any State that participated in the research.



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- (b) Amendment of the Final Report. If Angola, as the State conducting the investigation, receives comments within sixty days of submission of the draft, it will amend the Final Report to include the comments received, if it agrees with them, or, if it is the desire of the State that submitted the comments, attach them to the Final Report. If no comments are received within sixty days, Angola may publish the Final Report, unless an extension of the deadline for sending comments has been agreed with the States involved.
- (c) Submission of Draft Final Report to Owner. Angola, as the State conducting the investigation, will send, through the Shipowner's State, a copy of the draft Final Report to the shipowner, to allow him to submit comments on the draft Final Report.
- (d) Submission of Draft Final Report to Design and Manufacturing States. Angola, as the State conducting the research, will send, through the Design and Manufacturing States, a copy of the draft Final Report to the organizations responsible for the type of design and final assembly of the ship or vessel, to enable them to submit comments on the draft Final Report.

Note: *When sending the draft Final Report to States and related organizations, Angola, as the State conducting the investigation, will include the proposed operational security recommendations and use the fastest means available.*

2.037.2.2 - STATES RECIPIENTS OF THE FINAL REPORT

- (a) The Final Report of the investigation will be sent, with the minimum delay, by Angola, as the State that conducted the investigation, to:
 - (1) The State that established the survey; if applicable;
 - (2) The State of Registration;
 - (3) The Owner's Status;
 - (4) The Project Status;
 - (5) The State of Manufacture;
 - (6) Any State that participated in the research;
 - (7) Any State whose citizens have suffered serious or fatal injuries.
 - (8) Any State that has made available relevant information, important facilities or experts.



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2.037.2.3 - PUBLICATION OF THE FINAL REPORT

- (a) In the interest of accident prevention, Angola, when conducting the investigation of an accident or incident, will publish the Final Report, expeditiously, if possible, within twelve months from the date of the accident.
- (b) If the Final Report cannot be published within twelve months, Angola, as the State that conducted the investigation, will publish interim reports on each anniversary of the occurrence, detailing the progress of the investigation and any new operational security issues detected.
- (c) Angola, when publishing the Final Report of an accident or incident investigation involving a ship or vessel with a gross tonnage exceeding 500 tons, will send a copy of it to the IMO.
- (d) Note: After the preparation and publication of the Final Report, it will be maintained and preserved together with the investigation process in appropriate and appropriate files, for a period of ten (10) years, after which it will be transferred to the archive.
- (e) If the State that conducted the investigation does not prepare the Final Report or an interim release within a reasonable time, the Angolan State, if it is a participant in the investigation, may officially request that State for formal consent to make the disclosure of the available operational security aspects. If the State conducting the investigation expressly consents or does not respond to the request within 30 days, the Angolan State will make such disclosure after coordinating with the other participating States.

2.037.2.4 - OPERATIONAL SAFETY RECOMMENDATIONS

- (a) At any stage of the investigation of an accident or incident, INIPAT will recommend to the appropriate authorities of Angola and other States, any preventive action, which it considers necessary to implement quickly to improve maritime operational safety.
- (b) INIPAT, when conducting an accident or incident investigation, will forward, where appropriate, any operational safety recommendations issued in connection with its investigations to the accident investigation authorities of other interested States and to the IMO where IMO documentation is involved.

Note: INIPAT, when issuing operational security recommendations, will duly record the responses to these recommendations.

2.037.3 - ANGOLA'S RESPONSIBILITY WHEN RECEIVING OR ISSUING OPERATIONAL SAFETY RECOMMENDATIONS

2.037.3.1 – ACTION ON OPERATIONAL SAFETY RECOMMENDATIONS

- (a) Angola, upon receiving operational security recommendations, will, within ninety days from the date of receipt of the correspondence, inform the proposing State of the preventive action taken or the reasons why no action has been or will not be taken.



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- (b) Angola, when issuing an operational security recommendation, will record the responses received.
- (c) Angola, upon receipt of an operational security recommendation, will implement procedures to monitor the progress of action taken in response to those operational security recommendations.
- (d) The precedence of issuing operational safety recommendations from an accident or incident investigation is due to the State conducting the investigation. Meanwhile, in the interest of operational security, the Angolan State will have the right to issue operational security recommendations after coordinating with the State conducting the investigation.
- (e) When INIPAT issues a Safety Recommendation of Global Concern – SRGC, it will inform the IMO of the issuance of this recommendation and the responses received, through dated correspondence, even if the SRGC is not addressed to the IMO.

PART E – ACCIDENT/INCIDENT DATA REPORTING INFORMATION

Note: *The provisions of this part require two separate reports for any accident or incident, namely Preliminary Report and Accident/Incident Data Report.*

2.039 – PRELIMINARY REPORT

2.039.1 – ANGOLA’S RESPONSIBILITY FOR CONDUCTING INVESTIGATION

2.039.1.1 – ACCIDENTS WITH SHIPS OR VESSELS TONNAGE MORE THAN 500 TONS

- (a) When the gross tonnage of a ship or vessel involved in an accident is more than 500 tons, Angola, as the State conducting the investigation, will send the Preliminary Report to the following entities:
 - (1) Record Status or Occurrence Status, as appropriate;
 - (2) Owner Status;
 - (3) Project Status;
 - (4) Manufacturing Status;
 - (5) Any State that has provided relevant information, significant facilities or experts;
 - (6) International Maritime Organization.

2.039.1.2 – ACCIDENTS WITH SHIPS OR VESSELS WITH GROSS TONNAGE EQUAL OR LESS THAN 500 TONS

- (a) When the gross tonnage of the ship or vessel involved in an accident is equal or less than 500 tons or less and when airworthiness matters considered of interest to other States are involved, Angola, as the State conducting the investigation, will send the Preliminary Report to the following States:
 - (1) Registration Status or Occurrence Status, as appropriate;



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(2) Owner Status;

(3) Project Status;

(4) Manufacturing Status;

(5) Any State that has made available relevant information, significant facilities and experts.

2.039.1.3 – LANGUAGE

- (a) The Preliminary Report will be submitted to the appropriate States and the International Maritime Organization in one of the official languages of the IMO.

2.039.1.4 – DISPATCH

- (a) The Preliminary Report will be sent by fax, email or airmail within thirty days of the date of the accident, unless the Accident/Incident Data Report has been sent previously. When matters that directly affect operational security are involved, the report in question will be sent as soon as the information is available and by the most appropriate and quickest means possible.

2.039.2 – ACCIDENT/INCIDENT DATA REPORT

2.039.2.1 – ANGOLA'S RESPONSIBILITY FOR CONDUCTING INVESTIGATION

2.039.2.1.1 - ACCIDENTS WITH SHIPS OR VESSELS WITH GROSS TONNAGE MORE THAN 500 TONS

- (a) When the gross tonnage of the ship or vessel involved in an accident is more than 500 tons, Angola, as the State conducting the investigation, will send, as soon as practicable after the investigation, the Accident Data Report to the International Maritime Organization.

2.039.2.1.2 – ADDITIONAL INFORMATION

- (a) Angola, when conducting an investigation, upon request, will provide other States with additional pertinent information available in the Accident/Incident Data Report.

2.039.2.1.3 - INCIDENTS WITH THE SHIP OR VESSEL WITH GROSS TONNAGE MORE THAN 500 TONS

- (a) If Angola conducts an investigation of an incident involving a ship or vessel with gross tonnage more than 500 tons, it will submit, as soon as practicable after the investigation, the Incident Data Report to the International Maritime Organization.



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PART F – ACCIDENT PREVENTION MEASURES

2.041 - PROVISIONS ON ACCIDENT PREVENTION MEASURES

- (a) In addition to the provisions of this Part, other provisions relating to the promotion of accident prevention through the collection and analysis of operational safety data and rapid exchange of operational safety information, as part of the State Operational Safety Program (SSP), are included in the International Safety Management Code (ISM Code) of the International Maritime Organization (IMO).

2.043 DATABASE AND PREVENTIVE ACTIONS

- (a) Angola will establish and maintain an accident and incident database to facilitate effective analysis of information on actual and potential operational safety deficiencies and to determine any required preventive actions.

Note: *Additional information for preventive actions will be obtained from the Final Accident and Incident Investigation Reports.*

- (b) State authorities responsible for implementing the State Operational Safety Program will have access to the Accident and Incident Database to support their responsibilities.
- (c) In addition to operational safety recommendations originating from accident and incident investigations, operational safety recommendations may result from various sources including operational safety studies. If operational safety recommendations are addressed to an organization in another State, they must also be transmitted to the accident investigation authority in that State.

Article 4 (Final Provisions)

1. Cases not provided for in this Instruction will be resolved by the Management of the National Institute for Research and Prevention of Transport Accidents (INIPAT).
2. This Instruction cancels any existing instruction on the investigation of maritime accidents and comes into force immediately.



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REPÚBLICA DE ANGOLA
MINISTÉRIO DOS TRANSPORTES

INSTITUTO NACIONAL DE INVESTIGAÇÃO E PREVENÇÃO DE ACIDENTES DE TRANSPORTES

I N I P A T

INST
I002M/INIPAT/25
15. APR. 2025

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ATTACHMENT 1
FINAL REPORT FORMAT



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FORMAT

Title: The Final Report begins with the title, which must contain the name of the shipowner, manufacturer, model, nationality and the registration marks of the ship or vessel; the location and date of the accident or incident.

Synopsis: After the title, there is a synopsis that briefly describes all the relevant information about the notification of the accident to national and foreign authorities, identification of the accident investigation authority and the accredited representation; organization of research; authority publishing the report and publication date; and a conclusion with a brief summary of the circumstances of the accident.

Structure: The structure of the Final Report comprises the following main parts:

1. Factual Information;
2. Analysis;
- 3 Conclusions;
4. Operational Safety Recommendations.

Note: Each part consists of a number of subparts, as set out in the detailed part of this format.

Attachments or Appendices: Should be included as appropriate and as needed.

Note: When preparing a Final Report, using this format, it must be ensured that:

- a) *all information relevant to an understanding of the factual information, analysis and conclusions is included in the appropriate parts;*
- b) *where factual information is not available, or is irrelevant to the circumstances of the accident, a note must be included for this purpose in the appropriate sections.*

1. FACTUAL INFORMATION

1.1 Pod history. A brief narration on the following information:

- Sea voyage number, type of operation, last departure point, departure time (local time or UTC), desired docking point;
- Preparation of the sea voyage, description of the voyage and events linked to the accident, including reconstruction of the significant part of the voyage trajectory, if appropriate;
- Location (altitude, longitude, elevation), time of accident (local time or UTC), whether day or night.

1.2 Injury to people. Filling in the following (in numbers):

Injuries Crew Passengers Others

Fatal



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Serious

Mild/None

Note: Fatal injuries include all deaths determined to be a direct result of injuries caused by an accident.

1.3 Damage to the ship or vessel. Brief statement about the damage to the ship or vessel resulting from the accident (destroyed, substantially damaged, slightly damaged, undamaged).

1.4 Other damages. Brief description of damage to objects other than the ship or vessel;

1.5 Personnel information:

- a) Relevant information related to each member of the sea travel crew, including age, validity of licenses, qualifications, mandatory medical examinations, sea travel experience (total in type) and relevant information about lengths of service.
- b) Brief statement of qualifications and experience of other crew members.
- c) Relevant information about other personnel, such as maritime traffic services, maintenance, etc., where relevant.

1.6 Information about the ship or vessel:

- a) Brief statements about the airworthiness and maintenance of the ship or vessel (indication of previously known deficiencies before and during the sea voyage to be included, if they have any relation to the accident).
- b) Brief statement on performance, if relevant, and whether weight and center of gravity were within prescribed limits during the accident-related phase of operation. (provide details of any relation to the accident).
- c) Type of fuel used.

1.7 Weather information:

- a) Brief statement of meteorological conditions appropriate to the circumstances, including forecast and current conditions, and the availability of meteorological information to the crew.
- b) Natural light conditions at the time of the accident (sunlight, moonlight, twilight, etc.).

1.8 Aids to maritime navigation. Pertinent information on available marine navigation aids, including berthing aids, visual aids in the water and on the ground, etc., and their current effectiveness.

1.9 Communications. Relevant information about mobile and fixed maritime communication services and their effectiveness.



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1.10 Port Information. Pertinent information associated with the port, its facilities and conditions, or the departure and berthing areas, if different from a port.

1.11 Trip Data Recorders. Installation location of voyage data recorders on the ship or vessel, their condition upon recovery and pertinent data available on them.

1.12 Information about the wreckage and impact. General information about the accident site and the wreckage distribution area, detected material failures, or component malfunctions. Details relating to the location and condition of different parts of the wreck are normally not required, unless it is necessary to indicate the breakage of some parts of the ship or vessel prior to impact. Diagrams, charts and photographs should be included in this section or attached and appendices.

1.13 Medical and pathological information. Brief description of the results obtained in the research and pertinent data available from them.

Note: Medical information related to sea voyage crew licenses must be included in point 1.5 – Personnel information.

1.14 Fire. *If a fire has occurred, information about the nature of the occurrence, and the fire extinguishing equipment used and its effectiveness.*

1.15 Survival aspects. *Brief description of search, evacuation and rescue, location of crew and passengers in relation to injuries sustained, and failure of structures such as seats and seat belt tightening.*

1.16 Testing and research. *Brief statement about test and research results.*

1.17 Organizational and managerial information. *Pertinent information relating to organizations and their management involved in influencing the operation of the ship or vessel. Organizations include, for example: the shipowner, maritime traffic services, sea lane, port and meteorological service agencies, and the regulatory authority. Information should include, but not be limited to, organizational structure and functions, resources, economic status, management policies and practices, and legal regulatory instruments.*

1.18 Additional information. Relevant information that has not yet been included in items 1.1 to 1.17.

1.19 Effective or useful investigation techniques. When effective or useful techniques are used during the investigation, the reasons for their use must be briefly indicated, the main purposes must be mentioned as well as the results described in sections 1.1 to 1.18.

2. ANALYSIS

Analyze, as appropriate, only the information documented in 1, - Factual information and that is relevant to determining conclusions and causes and/or contributing factors.



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3. CONCLUSIONS

List of findings, causes and/or contributing factors established in the investigation. The list of causes and/or contributing factors should include immediate and deep systemic causes and/or contributing factors.

4. OPERATIONAL SAFETY RECOMMENDATIONS

As appropriate, briefly issue any recommendations made for the purpose of accident prevention and identify operational safety actions already implemented.

APPENDICES OR ANNEXES

Include, as appropriate, any other pertinent information deemed necessary to understand the Final Report.

Get published

NATIONAL INSTITUTE FOR INVESTIGATION AND PREVENTION OF TRANSPORT ACCIDENTS, In
Luanda, 15th April 2025.

