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## Report into a fatal incident involving the MFV Ellie Adhamh at Rosslare Europort, 19th May 2019

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**MCIB**

Marine Casualty Investigation Board  
*Bord Imscrúdú Taisní Muirí*



**REPORT INTO A FATAL  
INCIDENT INVOLVING THE  
MFV ELLIE ADHAMH  
AT ROSSLARE EUROPORT  
19th MAY 2019**

**REPORT NO. MCIB/292  
(No.4 OF 2020)**

The Marine Casualty Investigation Board (MCIB) examines and investigates all types of marine casualties to, or on board, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The MCIB objective in investigating a marine casualty is to determine its circumstances and its causes with a view to making recommendations to the Minister for Transport, Tourism and Sport for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea and inland waterways.

The MCIB is a non-prosecutorial body. We do not enforce laws or carry out prosecutions. It is not the purpose of an investigation carried out by the MCIB to apportion blame or fault.

The legislative framework for the operation of the MCIB, the reporting and investigating of marine casualties and the powers of MCIB investigators is set out in the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

In carrying out its functions the MCIB complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and EU Directive 2009/18/EC governing the investigation of accidents in the maritime transport sector.



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The Marine Casualty Investigation Board was established on the 25th March 2003 under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

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## **Glossary of Abbreviations and Acronyms**

<b>CCTV</b>	Closed Circuit Television
<b>CPR</b>	Cardiopulmonary Resuscitation
<b>EFR</b>	Emergency First Responder
<b>MFV</b>	Motorised Fishing Vessel
<b>MRCC</b>	Marine Rescue Co-ordination Centre
<b>MV</b>	Motor Vessel
<b>RNLI</b>	Royal National Lifeboat Institution

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## 1. SUMMARY

- 1.1 As the berthing crew were preparing to dock the 'MV Stena Nordica' at approximately 03.40 hrs on the 17th May 2019, they noticed a man passing by No. 3 berth. He seemed unsteady on his feet and informed the berthing crew he was going to the 'MFV Ellie Adhamh'. The man was then seen to proceed towards No. 4 berth where that vessel was moored.
- 1.2 The last line came ashore from the 'MV Stena Nordica' at approximately 03.55 hrs. A member of the berthing party then went to check to see if the man was alright. As he approached the 'MFV Ellie Adhamh' he heard a noise coming from between the vessel and the quay wall. The other members of the berthing crew arrived and located the Casualty face down in the water.
- 1.3 The berthing crew then contacted the Duty Port Controller who contacted the emergency services. The 'MV Stena Nordica' launched its rescue boat and they recovered the Casualty. They then landed him at the Lifeboat Station but despite medical intervention the Casualty did not survive.

## 2. FACTUAL INFORMATION

### 2.1 The Vessel

Name:	<i>'MFV Ellie Adhamh'</i> .
Type of Vessel:	Fishing Trawler.
Flag:	Irish.
Port of Registry:	Wexford.
Port Letters and Number:	WD206.
IMO Number:	9299238.
Call Sign:	EI5736.
Length:	21.98 m.
Beam:	7.5 m.
Gross Tonnage:	230 Tonne.
Year:	2004.
Registered Owners:	R&E Fish Ltd, Tacumshane, Co. Wexford.

### 2.2 Voyage Details

*'MFV Ellie Adhamh'* arrived at Rosslare Europort on the 17th May 2019 and finished landing fish at 12.00 hrs. The vessel was secured alongside No. 4 berth and the rest of the crew left at 15.30 hrs leaving the Casualty alone on the trawler. The vessel was due a survey by the Marine Survey Office on the afternoon of the 21st of May and so remained on the berth over the weekend.

### 2.3 Marine Incident Information

Type:	Very serious marine casualty resulting in a fatality.
Date:	19th May 2019.
Time:	03.50 hrs.
Position:	No. 4 berth Rosslare Europort.
Weather:	Cloudy and dry overnight.

Temperature:	10 to 11 degrees Celsius.
Wind:	Light to moderate north-westerly breeze, Beaufort force 3 occasionally force 4 (mean wind speed 6 to 11 knots) with occasional gusts up to 14 knots.
Visibility:	Good (greater than 10 nautical miles).
Sea State:	Slight or less (significant wave height 0.5 to 1 metre or less).
Sea Temperature:	12 degrees Celsius (M5) Good. (See Appendix 7.2 report from Met Éireann).
Tide:	Rosslare Europort 19th May 2019. LW 00.47 hrs 0.58m. HW 07.38 hrs 2.32m.
Source:	Rosslare Harbour Office.

## 2.4 Emergency Response

- 2.4.1 At 03.58 hrs the Duty Port Controller received a call from a member of the ‘MV *Stena Nordica*’ berthing party to report that a crewmember from the ‘MFV *Ellie Adhamh*’ had fallen into the harbour between the trawler and the quay wall. The Duty Port Controller immediately called an ambulance and requested assistance through Dublin Marine Rescue Co-ordination Centre (MRCC) from Rosslare Harbour Royal National Lifeboat Institution (RNLI) and Rosslare Coast Guard unit.
- 2.4.2 At 04.02 hrs the Night Master of the ‘MV *Stena Nordica*’ received a request from port control to launch its rescue boat to assist a person in the water by the ‘MFV *Ellie Adhamh*’. The rescue boat was launched at 04.10 hrs and the Casualty was recovered onboard at 04.13 hrs. The rescue boat crew commenced cardiopulmonary resuscitation (CPR) and landed the Casualty at the RNLI Lifeboat station at 04.15 hrs where further medical treatment was continued. The ambulance arrived at the Lifeboat station at 04.25 hrs and continued treatment.
- 2.4.3 Rosslare Coast Guard unit arrived on scene at 04.35 hrs and reported Casualty removed by ambulance at 05.13 hrs.

### 3. NARRATIVE

- 3.1 The Casualty had been instructed by the Skipper before he left the vessel to stay onboard and not to go ashore. The safety statement for the vessel states that no crewmember should be on board under the influence of alcohol or drugs.
- 3.2 The Casualty was first spotted trying to gain entry to the port at 03.10 hrs by a member of the harbour staff. This was in the vicinity of the weighbridge and the man was directed out of the freight check-in area. He was last seen in this area heading towards the roundabout outside the port at 03.20 hrs. It is unclear how or where the Casualty entered the port area. He was next seen by the berthing crew preparing to dock the 'MV Stena Nordica' at approximately 03.40 hrs as he made his way past No. 3 berth. He informed the berthing crew he was 'going to ship, going to bed' and named the 'MFV Ellie Adhamh'. The man was then seen to proceed towards No. 4 berth where the trawler was berthed. He was then seen leaning on a bollard and calling out as if to communicate with someone on board.
- 3.3 As the last line came ashore from the 'MV Stena Nordica' a member of the berthing party went to check on the Casualty to see if he was alright as they had concerns as he seemed unsteady on his feet earlier. The berthing crewmember called out but got no reply and then heard a noise coming from between the 'MFV Ellie Adhamh' and the quay wall. The berthing crewmember got a nearby life-ring and threw it in the water. The other members of the berthing crew arrived and illuminated the space of approximately 1.5 meters between the quay wall and the vessel only to see the Casualty face down in the water. The Casualty was not wearing any form of personal flotation device (PFD).
- 3.4 The berthing crew then contacted the Duty Port Controller at 03.58 hrs who immediately contacted the emergency services requesting an ambulance, Rosslare RNLI Lifeboat and Rosslare Coast Guard unit.
- 3.5 The Duty Port Controller was then contacted by the Night Master of the 'MV Stena Nordica' to ask if there was a problem. The 'MV Stena Nordica' was requested to launch its rescue boat at 04.02 hrs. This was launched at 04.10 hrs and the crew recovered the Casualty at 04.13 hrs and commenced CPR immediately.
- 3.6 The Casualty was landed at the RNLI Lifeboat station at 04.15 hrs and treatment was continued by members of the lifeboat crew and a local Emergency First Responder (EFR). The ambulance arrived on scene at 04.25 hrs but despite further medical intervention the Casualty did not survive.
- 3.7 The mooring lines from the 'MFV Ellie Adhamh' to the quay wall would have been slackest at time of the incident (see Appendix 7.1 Photographs No. 1 and No. 2). Fixed ladders for No. 4 berth had recently been removed and were

due for replacement. The *'MFV Ellie Adhamh'* has boarding ladders built in on both sides of the main hull (see Appendix 7.1 Photograph No. 3). No gangway or safety net were rigged and there is no clear designated access point between the *'MFV Ellie Adhamh'* and the quay wall (see Appendix 7.1 Photographs No. 4 and No. 5).

- 3.8 The Merchant Shipping (Safety of Fishing Vessels) (15-24 metres) Regulations 2007 require that a gangway or other suitable means providing an appropriate and safe means of boarding the vessel shall be available (Regulation 106).
- 3.9 The initial postmortem report supplied to the MCIB indicates death was caused by drowning, however, this verdict will be determined by the coroner. The toxicological analysis in the report indicated a very high level of ethanol in the Casualty's blood.

## 4. ANALYSIS

- 4.1 The weather was fine at the time of the incident and had no influence on the outcome (see Appendix 7.2 Met Éireann report).
- 4.2 The Casualty was first sighted at 03.10 hrs at the security gate and appeared to be heading towards the roundabout outside the port at 03.20 hrs. The next confirmed sighting of the Casualty was at the berthing party hut near No. 3 berth at 03.40 hrs (see Appendix 7.3 Plan of Rosslare Europort). At all these sightings the Casualty was said to be very unsteady on his feet and appeared to be heavily under the influence of alcohol. It is unclear how or where the Casualty entered the port area as the CCTV quality is very poor although it helps to confirm times.
- 4.3 As the Casualty passed by the berthing crew at No. 3 berth the attention of the berthing crew was taken by the arrival of the *'MV Stena Nordica'*. As soon as all but one of the lines were ashore a member of the berthing crew broke away to check on the crewmember heading for the *'MFV Ellie Adhamh'*.
- 4.4 When the area was illuminated by mobile phone, the Casualty was seen to be face down in the water and unresponsive. The Port Controller was contacted who in turn contacted the emergency services and requested the *'MV Stena Nordica'* launch their fast rescue craft.
- 4.5 The reaction time of the Port Control Station and crew of the *'MV Stena Nordica'* in launching the fast rescue boat was as good as could be expected and the Casualty was removed from the water 11 minutes after the request to launch. CPR was commenced immediately by the fast rescue boat crew. This was continued by RNLI crew and a local EFR on arrival at the lifeboat station until the ambulance crew arrived at 04.25 hrs.
- 4.6 The *'MFV Ellie Adhamh'* was seen to be between 1.5m and 1.8m off the quay wall shortly after the incident indicating the ropes were at their slackest at around half tide. The close proximity of the *'MV Stena Nordica'* (Gross tonnage 24,206) manoeuvring at the time of the incident most likely had an effect on the vessel being drawn out from the quay wall, caused by the large vessel displacing a considerable volume of water in a relatively shallow area and possibly the use of bow thrusters. The distance between the vessel and the quay wall together with the lack of a safe access point would have made the transit from the quay to the vessel difficult. Had the Casualty been wearing an automatic PFD it would have improved his chance of survival.
- 4.7 Rosslare Europort has no formal regulations or operating procedures for fishing vessels using the port.

- 4.8 The security plan states access will be denied to anyone who may be a danger to themselves or others due to being under the influence of alcohol or drugs. The Casualty had been instructed by the Skipper before he left the vessel to stay onboard and not to go ashore. The safety statement for the vessel states that no crewmember should be on board under the influence of alcohol or drugs. The Casualty was directed away from the freight check-in area and was seen to be moving away from the port at 03.20 hrs. It is unclear how the Casualty entered the port area after that.

## 5. CONCLUSIONS

- 5.1 The toxicological analysis report from the postmortem confirms the Casualty was under the influence of alcohol and would have been a danger to himself and others in the port area at the time of the incident. As per the report on an incident at Killybegs on the 14th March 2019 this again highlights the dangers involved when attempting to board fishing vessels when under the influence of alcohol.
- 5.2 Safe means of access to the vessel at all states of tide was not evident.
- 5.3 No PFD was worn by the Casualty.
- 5.4 It is likely that there was considerable movement of the vessel due to manoeuvring of the *'MV Stena Nordica'* in close proximity to it. As the much larger vessel went astern into its berth it would have caused considerable water flow in the vicinity of the *'MFV Ellie Adhamh'*
- 5.5 Rosslare Europort does not have bye laws regulating the operation of fishing vessels operating within its jurisdiction.

## 6. SAFETY RECOMMENDATIONS

- 6.1 It is recommended that the Minister for Transport, Tourism and Sport issue a Marine Notice reminding fishing vessel crews of the dangers associated with boarding vessels under the influence of alcohol.
- 6.2 It is recommended that the Minister for Transport, Tourism and Sport issue a Marine Notice reminding fishing vessel owners and skippers of the duty of care to provide safe means of access to vessels while in harbour.
- 6.3 It is recommended that the Minister for Transport, Tourism and Sport issue a Marine Notice reminding fishing vessel crews of the importance of wearing personal flotation devices while accessing vessels.
- 6.4 Rosslare Europort should consider reviewing its operating procedures including bye laws and security plans regarding fishing vessel operations in the port. This should include movement of crewmembers within the port limits and ensuring the perimeter is secure at night and also a suitable location for the berthing of fishing vessels.

7. APPENDICES

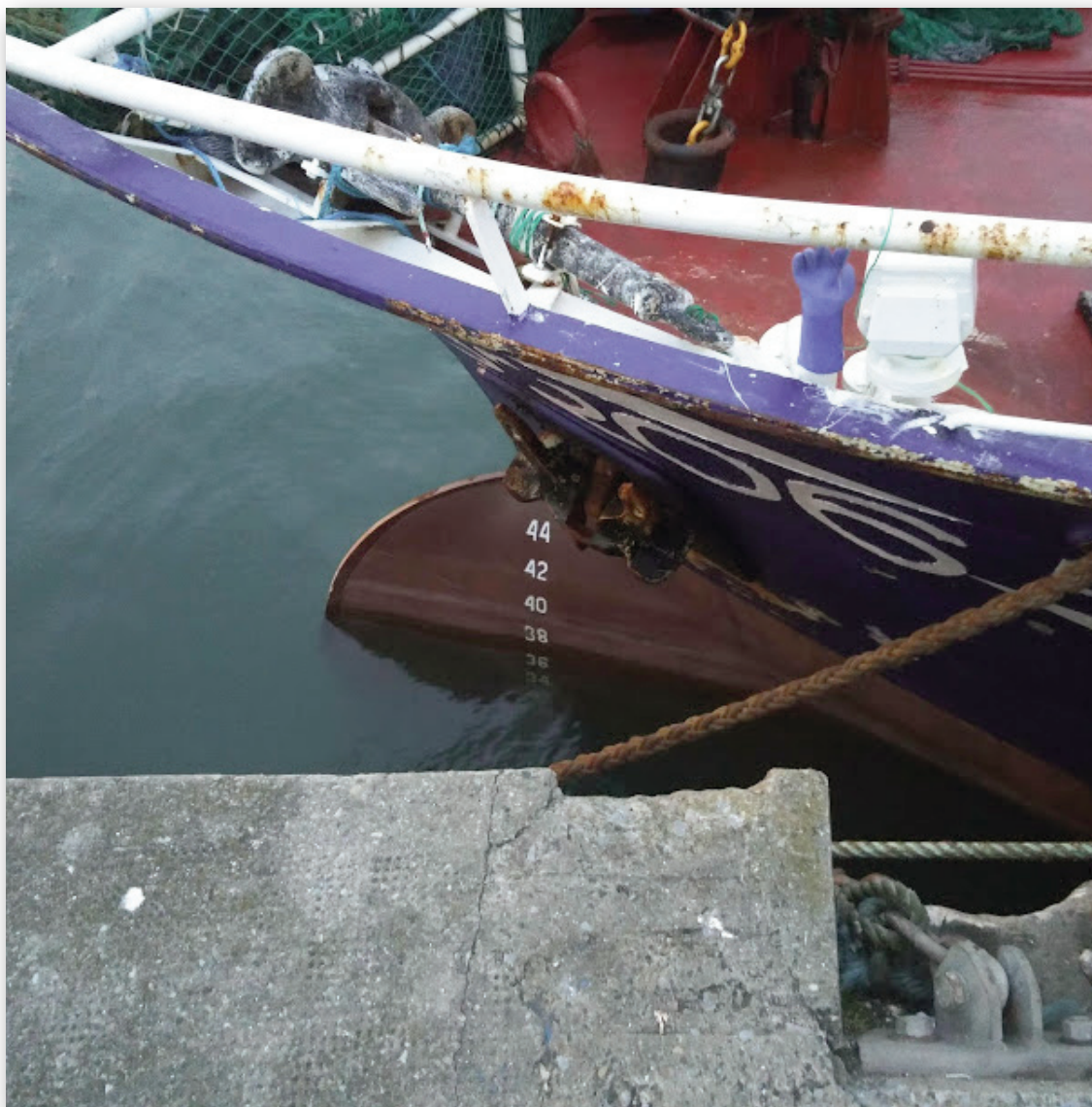
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### Appendix 7.1 Photographs



Photograph No. 1. Mooring lines from the 'MFV Ellie Adhamh' to the quay wall.

Appendix 7.1 Photographs



Photograph No. 2. Mooring lines from the 'MFV Ellie Adhamh' to the quay wall.

### Appendix 7.1 Photographs



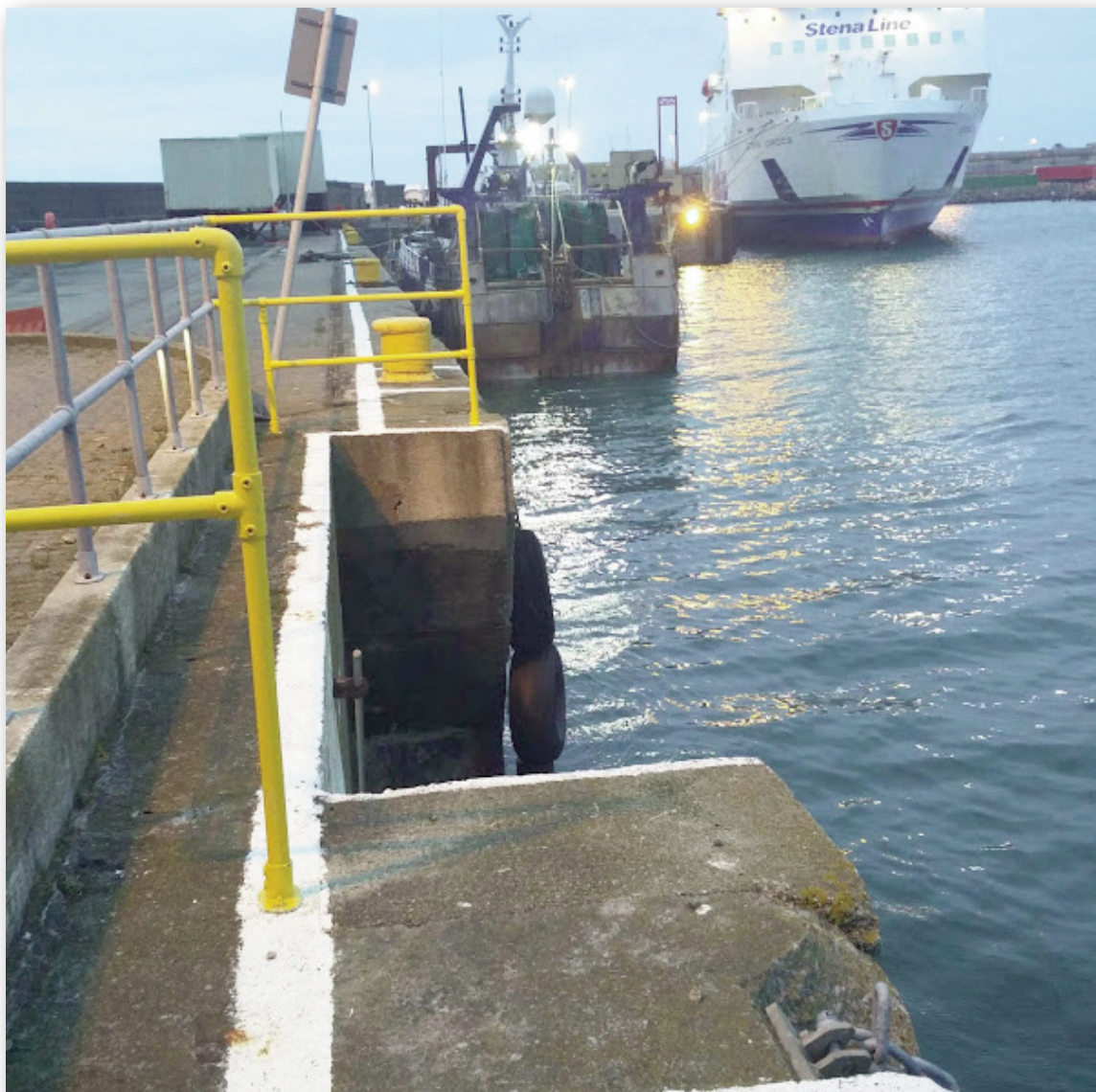
Photograph No. 3. Fixed boarding ladders built in on both sides of the hull of the 'MFV Ellie Adhamh'.

Appendix 7.1 Photographs



Photograph No. 4. No gangway or safety net were rigged and there is no clear designated access point between the 'MFV *Ellie Adhamh*' and the quay wall.

Appendix 7.1 Photographs



Photograph No. 5. No gangway or safety net were rigged and there is no clear designated access point between the 'MFV Ellie Adhamh' and the quay wall.

Appendix 7.2 Met Éireann Weather Report



**Met Éireann**

**The Irish Meteorological Service**

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Our Ref. WS1730/1910\_03

Your Ref. MCIB/12/292

**Re: Estimate of weather conditions in the vicinity of Rosslare Harbour, Co. Wexford (52.2555, -6.3375) on Sunday 19 May 2019 between 00:00 and 06:00 hours UTC.**

**Synopsis:** A slack northwesterly airflow covered Ireland between high pressure (1018hPa) to the west and an extensive area of low pressure (1004hPa) over continental Europe. A weak frontal system (occluded front) embedded in the flow was near-stationary over the country and brought cloud but little, if any rain to the area during the time period in question.

**Estimate of weather & sea state conditions:**

<b>00:00 – 06:00 hours UTC:</b>	
<b><u>Weather:</u></b>	Cloudy and dry overnight.
<b><u>Temperature:</u></b>	10 to 11 degrees Celsius.
<b><u>Wind:</u></b>	Light to moderate northwesterly breeze, Beaufort Force 3 occasionally Force 4 (mean wind speed 6 to 11 knots) with occasional gusts up to 14 knots
<b><u>Visibility:</u></b>	Good (greater than 10 nautical miles)
<b><u>Sea State:</u></b>	Slight or less (significant wave height 0.5 to 1 metre or less).
<b><u>Sea Temperature:</u></b>	~12 degrees Celsius (M5)

Please address all correspondence to [REDACTED] and please kindly quote the reference number



Appendix 7.2 Met Éireann Weather Report



**Met Éireann**

The Irish Meteorological Service

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**APPENDIX 2. Sea States & Visibility**

<p><b>Wave Heights / State of Sea:</b></p> <p>The wave height is the vertical distance between the crest and the preceding or following trough. The table below gives a description of the wave system associated with a range of significant wave heights.</p> <p>The Significant wave height is defined as the average height of the highest one-third of the waves. (It is very close to the value of wave height given when making visual observations of wave height.)</p> <table border="1"> <thead> <tr> <th>Sea State (Descriptive)</th> <th>Significant Wave height in meters</th> </tr> </thead> <tbody> <tr> <td>Calm</td> <td>0 – 0.1</td> </tr> <tr> <td>Smooth (Wavelets)</td> <td>0.1 – 0.5</td> </tr> <tr> <td>Slight</td> <td>0.5 – 1.25</td> </tr> <tr> <td>Moderate</td> <td>1.25 – 2.5</td> </tr> <tr> <td>Rough</td> <td>2.5 – 4</td> </tr> <tr> <td>Very rough</td> <td>4 – 6</td> </tr> <tr> <td>High</td> <td>6 – 9</td> </tr> <tr> <td>Very high</td> <td>9 – 14</td> </tr> <tr> <td>Phenomenal</td> <td>Over 14</td> </tr> </tbody> </table> <p>Individual waves in the wave train will have heights in excess of the significant height. The highest wave of all will have a height about twice the significant height.</p>	Sea State (Descriptive)	Significant Wave height in meters	Calm	0 – 0.1	Smooth (Wavelets)	0.1 – 0.5	Slight	0.5 – 1.25	Moderate	1.25 – 2.5	Rough	2.5 – 4	Very rough	4 – 6	High	6 – 9	Very high	9 – 14	Phenomenal	Over 14	<p><b>Visibility Descriptions:</b></p> <table border="1"> <thead> <tr> <th>Visibility (Descriptive)</th> <th>Visibility in nautical miles (kilometres)</th> </tr> </thead> <tbody> <tr> <td>Good</td> <td>More than 5 nm (&gt; 9 km)</td> </tr> <tr> <td>Moderate</td> <td>2 – 5 nm (4 – 9 km)</td> </tr> <tr> <td>Poor</td> <td>0.5 – 2 nm (1 – 4 km)</td> </tr> <tr> <td>Fog</td> <td>Less than 0.5 nm (&lt; 1km)</td> </tr> </tbody> </table> <p><b>Please Note:</b></p> <p>If there are no measurements or observations available for an exact location, then the estimated conditions in this report are based on all available meteorological measurements and observations which have been correlated on the routine charts prepared by Met Éireann.</p>	Visibility (Descriptive)	Visibility in nautical miles (kilometres)	Good	More than 5 nm (> 9 km)	Moderate	2 – 5 nm (4 – 9 km)	Poor	0.5 – 2 nm (1 – 4 km)	Fog	Less than 0.5 nm (< 1km)
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Appendix 7.2 Met Éireann Weather Report



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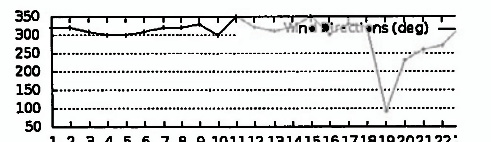
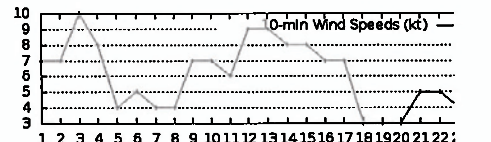
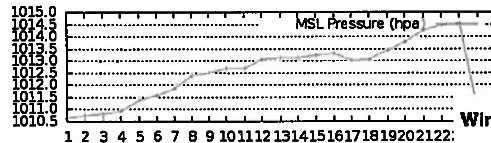
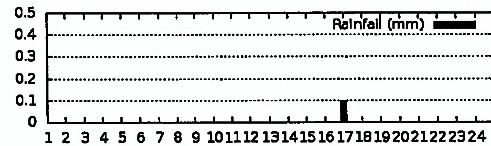
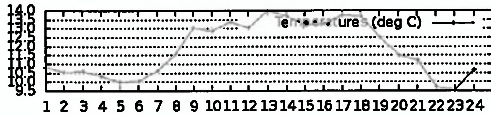
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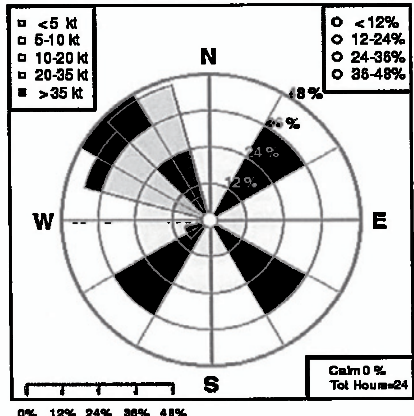
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Fax: +353-1-8064216  
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**APPENDIX 3. Observations Johnstown Castle**

HOURLY VALUES (UTC) 2019\_05\_19 JOHNSTOWNII



Windrose Johnstown C 19-May-2019 to 19-May-2019



Appendix 7.2 Met Éireann Weather Report



**Met Éireann**

**The Irish Meteorological Service**  
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**APPENDIX 4. Observations M5 Buoy**

**Daily Buoy Report**

Buoy (Mon Oct 7 14:51:52 2019)    62094    Date: 19-May-2019

Hour (utc)	Temp (C)	Rel Hum (percent)	Wind Speed (kt)	Wind Dir (deg)	CBL Pressure (hpa)	Sea Period (s)	Sea Height (m)	Sea Temp (C)
1	80.078	12.149	333.633	1011.0	3.867	0.8	12.2	
2	80.078	13.098	336.445	1010.9	3.867	0.8	12.0	
3	79.297	14.237	339.258	1011.0	3.867	0.8	12.1	
4	79.688	13.098	337.148	1011.0	3.750	0.8	12.1	
5	80.859	13.668	342.773	1011.2	3.750	0.8	12.0	
6	80.859	14.847	339.258	1011.5	3.867	0.9	12.0	
7	81.250	14.807	337.852	1012.0	3.867	0.9	12.0	
8	80.078	13.857	340.664	1012.5	3.867	0.9	12.1	
9	79.688	11.959	334.688	1013.0	3.984	0.9	12.1	
10	79.688	11.010	336.906	1013.3	3.867	0.9	12.1	
11	79.297	9.681	331.523	1013.5	3.750	0.8	12.2	
12	78.906	8.352	327.305	1014.0	3.750	0.6	12.2	

Appendix 7.2 Met Éireann Weather Report



**Met Éireann**  
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**APPENDIX 5. Sea Area Forecasts**

**24-hour Sea Area Forecast**  
 Updated at 0000 / 0600 / 1200 / 1800  
 Sea Area Forecast until 0000 Monday, 20 May 2019  
 Issued at 0000 Sunday, 19 May 2019

**1. Gale warning: Nil**  
 Small craft warning: Nil

**2. Meteorological situation at 2300:** An extensive area of low pressure over much of continental Europe is generating a moderate, mainly north to northwest easterly flow over Ireland. Frontal troughs are embedded in the flow.

**3. Forecast for Irish coastal waters from Carrigrohane Point to Slieve Head to Malin Head**  
 Winds: Northwest force 4 or 5, occasionally force 6. Decreasing northwest force 3 or 4 later and becoming westerly or variable force 2 to 4 along the south coast.  
 Forecast for Irish coastal waters from Slieve Head to Malin Head to Carrigrohane Point and for the Irish Sea  
 Winds: Northwest force 3 or 4, decreasing westerly force 2 or 3 later.  
 Weather for all Irish coastal waters and the Irish Sea: Occasional rain or showers.  
 Visibility for all Irish coastal waters and the Irish Sea: Moderate or poor at times in precipitation, otherwise good.  
 Warning of Heavy Swells: Nil

**4. Outlook for a further 24 hours until 0000 Tuesday 21 May 2019:** Light to moderate northwesterly variable winds with scattered showers.

Forecasts prepared by Met Éireann, Customer Services (Tel: 01-8064260, Email: customer@met.ie) and copyright Met Éireann.

**Text of Gale Warning**  
 Nil

**Text of Small Craft Warning**  
 Nil

**Coastal Reports**

Slieve Head Automatic	Northwest, 14 knots, gusty, 11 miles, 1010, Steady
Malin Automatic	West-Northwest, 7 knots, gusty, 3 miles, 1010, Rising slowly
Slieve Donard Automatic	Northwest, 12 knots, wave height 1.5m, the westerly at Malin is greater than 10 miles, 1010, Rising slowly
Carrigrohane Automatic	North-Northwest, 18 knots, gusty, 24 miles, 1011, Rising slowly
Malin Head Automatic	Northwest, 10 knots, gusty, 10 miles, 1011, Rising slowly
Malin Head Automatic	Northwest, 10 knots, gusty, 10 miles, 1011, Rising slowly
Malin Head Automatic	Northwest, 10 knots, gusty, 10 miles, 1011, Rising slowly
Buoy 02 52°23'N 10°25'W	Report not available
Buoy 03 52°13'N 10°25'W	Northwest, 18 knots, wave height not available, 1014, Rising slowly
Buoy 04 52°04'N 10°25'W	Northwest, 8 knots, wave height not available, 1015, Rising slowly
Buoy 05 51°44'N 10°25'W	Northwest, 8 knots, wave height not available, 1018, Rising slowly

Disclaimer: buoy locations are approximate and are not for navigational purposes

**Sea Crossing**  
 Dublin - Holyhead: Light or less  
 Douglas - South Wales: Light  
 Cork - South Wales: Heavy squalls  
 Rosslare - France: Moderate, occasionally increasing to heavy by Monday morning  
 Cork - France: Moderate, gradually decreasing to light by Monday evening

**Next update before 0700 Sunday, 19 May 2019**  
 A detailed forecast may be obtained by dialling 1902 123 855.

Forecasts prepared by Met Éireann, Customer Services (Tel: 01-8064260, Email: customer@met.ie) and copyright Met Éireann.

Appendix 7.2 Met Éireann Weather Report



**Met Éireann**

The Irish Meteorological Service

Climate Services  
Glasnevin Hill  
Dublin 9

Seirbhís Aeráide  
Cnoc Ghlas Naíon  
Baile Átha Cliath 9

Tel: +353-1-8064260  
Fax: +353-1-8064216  
Email: LEGAL@MET.ie

**24-hour Sea Area Forecast**  
Updated at 0000 / 0600 / 1200 / 1800  
Sea Area Forecast until 0600 Monday, 20 May 2019  
Issued at 0600 Sunday, 19 May 2019

**1. Gale warning: NI**  
Small craft warning: NI

**2. Meteorological situation at 0300:** An extensive area of low pressure over much of continental Europe is generating a moderate, mainly north to northwest airflow over Ireland. Showery troughs are embedded in the flow.

**3. Forecast for Irish coastal waters from Carrizosa Point to Slieve Head to Malin Head**  
Wind: Northwest force 4 or 5, occasionally force 6. Soon decreasing northwest force 3 or 4, occasionally westerly or variable force 2 to 4 along the south coast.

Forecast for Irish coastal waters from Malin Head to Slieve Head to Carrizosa Point and for the Irish Sea:  
Wind: Northwest force 3 or 4, decreasing westerly force 2 or 3 soon. Veering northwest to north force 2 or 3 later.

Weather for all Irish coastal waters and the Irish Sea: Occasional rain or showers.

Visibility for all Irish coastal waters and the Irish Sea: Moderate or poor at times in precipitation, otherwise good.

**Warning of Heavy Seas: NI**

**4. Outlook for a further 24 hours until 0600 Tuesday 21 May 2019:** Mostly light northwest or variable winds with scattered showers.

FORECAST PROVIDED BY MET ÉIREANN, CUSTOMER SERVICES UNIT 01-8064260, 19 MAY 2019  
CUSTOMER SERVICES UNIT 01-8064216, MET ÉIREANN Copyright.

**24-hour Sea Area Forecast**  
Updated at 0000 / 0600 / 1200 / 1800  
Sea Area Forecast until 0600 Monday, 20 May 2019  
Issued at 0600 Sunday, 19 May 2019

**1. Gale warning: NI**  
Small craft warning: NI

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Wind: Northwest force 4 or 5, occasionally force 6. Soon decreasing northwest force 3 or 4, occasionally westerly or variable force 2 to 4 along the south coast.

Forecast for Irish coastal waters from Malin Head to Slieve Head to Carrizosa Point and for the Irish Sea:  
Wind: Northwest force 3 or 4, decreasing westerly force 2 or 3 soon. Veering northwest to north force 2 or 3 later.

Weather for all Irish coastal waters and the Irish Sea: Occasional rain or showers.

Visibility for all Irish coastal waters and the Irish Sea: Moderate or poor at times in precipitation, otherwise good.

**Warning of Heavy Seas: NI**

**4. Outlook for a further 24 hours until 0600 Tuesday 21 May 2019:** Mostly light northwest or variable winds with scattered showers.

FORECAST PROVIDED BY MET ÉIREANN, CUSTOMER SERVICES UNIT 01-8064260, 19 MAY 2019  
CUSTOMER SERVICES UNIT 01-8064216, MET ÉIREANN Copyright.

Coastal Report	1 AM Sunday, 19 May 2019
Malin Head Buoy	Northwest, 14 knots, Mod. swell, 5 Miles, 3000, Steady
Malin Head Buoy	West, 8 knots, Choppy 3 Miles, 1011, Steady
Buoy No 10-41N 8° 42' W	North-Northwest, 13 knots, Wave 200 m, The visibility at 1011 is
Wester Head Buoy	West, 10 knots, 1011, Steady
Archer Point Buoy	North-Northwest, 14 knots, 1011, Steady
Sherrin Island Buoy	Northwest, 8 knots, Choppy, 20 Miles, 1013, Steady
Malin Head Buoy	North, 9 knots, Choppy 21 Miles, 1014, Steady
Malin Head Buoy	Northwest, 10 knots, 1013, Steady
Buoy No 10-41N 10° 12' W	Report not available
Buoy No 10-41N 10° 12' W	Report not available
Buoy No 10-41N 10° 12' W	North-Northwest, 13 knots, Wave height not available, 1015, Steady
Buoy No 10-41N 10° 12' W	Northwest, 10 knots, Wave height not available, 1011, falling slowly
Buoy No 10-41N 10° 12' W	West-Northwest, 8 knots, Wave hc 1.1 m, 1017, Steady

Disclaimer: buoy locations are approximate and are not for navigational purposes

Sea Crossing	State of sea until 0600 Tuesday 21 May 2019
Dublin - Holyhead	Stable
Dublin - South Wales	Stable
Coast - South Wales	Stable
Coast - France	Moderate, decreasing slight southerly
Coast - France	Moderate, decreasing slight southerly

Next update before 1300 Sunday, 19 May 2019  
A detailed forecast may be obtained by dialling 190900/01 on USSD 123 855.

# APPENDIX 7.3

## Appendix 7.3 Plan of Rosslare Europort



## NATURAL JUSTICE - CORRESPONDENCE RECEIVED

Section 36 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000 requires that:

- ‘36 (1) Before publishing a report, the Board shall send a draft of the report or sections of the draft report to any person who, in its opinion, is likely to be adversely affected by the publishing of the report or sections or, if that person be deceased, then such person as appears to the Board best to represent that person’s interest.
- (2) A person to whom the Board sends a draft in accordance with subsection (1) may, within a period of 28 days commencing on the date on which the draft is sent to the person, or such further period not exceeding 28 days, as the Board in its absolute discretion thinks fit, submit to the Board in writing his or her observations on the draft.
- (3) A person to whom a draft has been sent in accordance with subsection (1) may apply to the Board for an extension, in accordance with subsection (2), of the period in which to submit his or her observations on the draft.
- (4) Observations submitted to the Board in accordance with subsection (2) shall be included in an appendix to the published report, unless the person submitting the observations requests in writing that the observations be not published.
- (5) Where observations are submitted to the Board in accordance with subsection (2), the Board may, at its discretion -
- (a) alter the draft before publication or decide not to do so, or
  - (b) include in the published report such comments on the observations as it thinks fit.’

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report that is stated beside the relevant observation. When the Board is satisfied that the report has adequately addressed the issue in the observation, then the observation is ‘Noted’ without comment or amendment. The Board may make further amendments or observations in light of the responses from the Natural Justice process.

‘Noted’ does not mean that the Board either agrees or disagrees with the observation.

## 8. NATURAL JUSTICE - CORRESPONDENCE RECEIVED

- 8.1 Correspondence from Harbour Master, Rosslare Europort  
and MCIB response 29

Note: The names and contact details of the individual respondents have been obscured for privacy reasons.

Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

[REDACTED]  
Secretari  
Marine Casualty Investigation Board  
Leeson Lane,  
Dublin 2,  
DO2 TR60  
Ireland,

Date 14/02/2020

Dear [REDACTED]

Please find below comments on the draft report of a fatal incident at Rosslare Europort on the 19<sup>th</sup> May 2019.

1. **Item 3.6 states 'Fixed ladders for no 4 berth had recently been removed and were due for replacement'.**

Two sets of new ladders are on site. They will be fitted to berth four before 30<sup>th</sup> April 2020.

2. **Item 4.7 states 'Rosslare Europort has no formal regulations or procedures for fishing vessels using the Port.'**

The SOP 22 (Standard Operating Procedure) has been amended to formalise the procedure for fishing vessels using the Port. See attached.

3. **Item 5.5 states 'Rosslare Europort does not have Bye Laws regulating the operation of fishing vessels operating within its jurisdiction.'**

Rosslare Europort has bye laws dated 12<sup>th</sup> October 1895, which allow for the immediate charge and regulation of traffic. This includes the movement of fishing vessels. See attached.

4. **Item 6.4 states 'Rosslare Europort should consider reviewing its operating procedures including Bye Laws and security plans regarding fishing vessel operations in the port. This to include movement of crewmembers within the port limits and ensuring the perimeter is secure at night and also a suitable location for the berthing of fishing vessels.'**

SOP 22 has been reviewed and amended. It includes controlled movement of crewmembers within the port. The security plans have been reviewed and the perimeter security is constantly monitored.

Yours sincerely,

[REDACTED]  
Harbour Master  
Rosslare Europort  
Co. Wexford  
Y35 PH4X  
Ireland

W: [www.irishrail.ie](http://www.irishrail.ie)



MCIB  
RESPONSE:  
Noted.

## Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

SOP 22 Safety & Security Procedure



(Fisherman's Quay and Berth 4)

All vessels report to Rosslare Harbour prior to entry. The controller informs the security contractor to issue the notice, as below, to all visiting vessels at the Fisherman's Quay and Berth 4 and to report same in the Assignment Log. One copy is given to the vessel and the signed and dated copy is given to the HM.

SAFETY & SECURITY NOTICE	
<p>Rosslare Europort is a busy International Ship &amp; Port Security Code (ISPS) compliant facility. As such it does not generally facilitate visiting leisure craft or visiting fishing vessels. Vessels are however sometimes facilitated due to heavy weather or other Force Majeure events. All visitors must be aware that within the port there are constant vehicle movements and great care must be taken. Visitors are required to read through this Safety &amp; Security information document carefully and sign to confirm they have received it. The signed copy is filed in the HM office.</p>	
<b>BERTH</b>	For visiting yachts, small boats and other leisure craft, the designated berth for lying alongside at Rosslare Europort is the Fisherman's Quay. Berth 4 may be used by trawlers. Safe access must be provided by the vessel.
<b>MANOEUVRING IN THE HARBOUR</b>	Please do not enter, depart from or manoeuvre within Rosslare Europort without clearing it with ROSSLARE HARBOUR on VHF Channel 12 beforehand. The Duty Port Controller may be contacted on +353 (87) 2320251 for other matters.
<b>WEATHER</b>	The Fisherman's Quay is exposed to winds, waves and/or swell from WNW to ESE. It is not recommended to remain alongside in conditions where greater than moderate wind speeds exist.
<b>1HR WEATHER FORECAST</b>	<a href="http://www.windfinder.com/forecast/rosslare&amp;wf_cmp=7">http://www.windfinder.com/forecast/rosslare&amp;wf_cmp=7</a> <span style="float: right;">Use SUPERFORECAST option</span>
<b>TIDAL RANGE</b>	The spring tidal range is approximately 1.6 metres MHWs 2.3 MHWN 1.8 MLWN 1.1 MLWS 0.7
<b>PORT SECURITY LEGISLATION</b>	The International Ship and Port Facility Security code was introduced worldwide on 1st July 2004 and applies to all Port Facilities that handle ships greater than 300 tons, engaged on international voyages.
	It prescribes responsibilities to Rosslare Europort, the Dept. of Transport, Tourism & Sport and the Shipping Companies to "...detect security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade..."
	All visitors are expected to co-operate with Port & Security Staff in the course of their duties.
<b>SAFETY, PORT ACCESS &amp; PORT OPENING HOURS</b>	<p>The Port is open from 0400-2130.</p> <p><b>Crews of visiting vessels :</b></p> <ul style="list-style-type: none"> <li>• Must not attempt to access or exit the port when it is closed. Where emergency or unforeseen access is required please contact Port security on + 353 (87) 3561956 for assistance.</li> <li>• Must enter and leave the port through the Terminal Building only.</li> <li>• Must always use the designated walkways painted on the ground.</li> <li>• Must take great care around moving vehicles.</li> <li>• Must wear Hi Visibility clothing when ashore in the port.</li> <li>• Must wear Personal flotation devices when on deck or when on quaysides or slips.</li> <li>• Must comply with directions given by Port or Security staff.</li> </ul> <p><b>Note:</b> Any person entering the port who appears, in the opinion of the Security or Port staff to be under the influence of alcohol or drugs, or for any other reason where it is felt they could be a danger to themselves or others will be refused entry. Where a person who is refused entry for any reason becomes aggressive the Gardai will be called.</p>
<b>HARBOUR DUES</b>	There are no dues for visiting yachts, small boats and other leisure craft.
<b>CONTACT FOR WEXFORD HBR KILMORE QUAY</b>	Contact the Assistant Marine Officer, Wexford Co. Council regarding entry to the 2 nearest ports catering for pleasure craft of Wexford Harbour or Kilmore Quay E <a href="mailto:assistant.marineofficer@wexfordcoco.ie">assistant.marineofficer@wexfordcoco.ie</a> T + 353 (53) 9129955
<b>SIGNED BY VESSEL OWNER</b>	Owners Name: <span style="float: right;">Signature: _____</span> <span style="float: right;">Date: _____</span>
	V/L name: <span style="float: right;">V/L Number: _____</span>
<b>CONTACT DETAILS</b>	Mobile phone: <span style="float: right;">Email: _____</span>

w/security/pfsp

Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

**Byelaws**

There are two sets of byelaws which apply in Rosslare Europort: \_\_\_\_\_

***By-Laws of the Harbour of Rosslare, 12<sup>th</sup> October 1895***

These byelaws are general byelaws for the regulation of vessels in Rosslare.

**Regulation    Text**

- |                   |   |
|-------------------|---|
| Opening Paragraph | The immediate charge and regulation of the Shipping and Traffic of the Harbour and the government and accommodation of the shipping therein, not otherwise specially provided for, shall devolve on and be regulated by the Harbour Master within the limits of his jurisdiction; and all masters, officers, crews and all persons in or employed upon any vessel, wherry, lighter, tug, or boat in the Harbour, and all persons employed in connection with the shipping or traffic of the Harbour, are required to observe and obey the several By-Laws following under a penalty not exceeding Five pounds for each offence. |
| 1.                | No vessel shall be berthed in any berth save such as shall have been assigned for such vessel by the Harbour Master or his deputy.  |
| 2.                | Every master or other person in charge of a vessel heaving out or removing from his berth shall give due notice of his intention to the Harbour Master or other duly authorised officer.  |
| 4.                | Every master or person in charge of a vessel lying at the pier shall keep the hatches of his vessel closed except when she is loading or discharging, unless with the permission of the Harbour Master in writing.  |
| 5.                | Every master or person in charge of a vessel or lighter shall at all times have at least one person on deck, and if his vessel or lighter is on an outside tier, or moored or anchored more than 40 feet from the pier, shall keep a conspicuous light in a proper closed lantern burning from sunset to sunrise.   |
| 6.                | No master or other person in charge of a vessel shall cast his vessel loose for the purpose of proceeding out of the Harbour, or of swinging or winding, or changing berth, whilst there is any risk of injury to, or collision with, other vessels.  |
| 7.                | No master or other person in charge of a vessel shall leave an anchor that may be slipped or left in the Harbour to remain so for more than one tide, nor for any time without a sufficient buoy to indicate its position.  |
| 8.                | Every master or person in charge of a vessel shall, upon the reasonable request of the parties on board any vessel that may be impeded, slacken such moorings or ropes of his vessels as may cause impediment to the navigation of the Harbour, or to the shifting of such other vessel, so as the same shall not endanger the safety of the vessel to which such moorings or ropes belong.   |
| 9.                | The master or person in charge of any steamer engaged in towing vessels shall, in good time, previous to approaching the place where such vessels are to be berthed, so reduce the speed as to enable persons in charge of the vessel towed, when thrown off by the steamer, to bring them easily to their berths without risk of damage.   |

## Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

<b>Regulation</b>	<b>Text</b>
10	Every master or person in charge of a steam vessel, when passing any piling machine, diving boat, or other craft belonging to the Company (when employed), or any harbour works (when in progress), shall slacken speed and go sufficiently slow, or stop if necessary, so as to prevent any injury to such machine, diving boat, craft, or works.
11.	All masters and persons concerned in landing any gravel, sand, earth, cinders, soot, ashes, rubbish, dirt, or sweepings of any kind, on the pier, shall cause the same to be removed immediately.
12.	No master or other person shall ship on board or discharge from any vessel, ballast, gravel, sand, scrap iron, bones, cinders, manure, or sweepings, without sufficient tarpaulins, shoots, or other protection against any portion thereof falling into the harbour, and none of the materials shall be thrown overboard from any vessel within the limits of the harbour.
13.	Every vessel discharging timber or deals of any kind shall be so placed as not to obstruct the navigation, either by herself or her cargo, and her master or person in charge shall not allow any raft of timbers or deals, if the vessel be in a quay berth, to extend more than 40 feet outside of his vessel, and shall have a watchman during the night in charge of such raft.
14.	Every person requiring to load or discharge heavy stones, machinery, timber, or other weighty goods, which cannot be conveniently landed or shipped without the tackle of such vessel, shall have the preference of a crane-berth by priority of application to the Harbour Master, and the master or person in charge of such vessel, when berthed, shall proceed with all diligence to discharge or load such vessel, and in case of delay or neglect, the Harbour Master or his deputy may proceed at once to remove, or cause to be removed, such vessel from such berth.
15.	No person shall attempt to lift by any crane a greater weight than may be marked on such crane, or as may be authorised by the Harbour Master; and before beginning to use any crane shall deliver to the Harbour Master, or person in charge of such crane, a certificate of the weight intended to be lifted.
16.	No person shall be allowed to use a light of any kind, unless placed and enclosed in a good and sufficient lantern, either in the holds of vessels or in the warehouses or sheds, for any purpose; nor shall any fires be at any time allowed on the pier without the written permission of the Harbour Master or his deputy.
17.	The masters or persons in charge of vessels discharging or loading grains, coals, or other cargoes requiring same, shall have good and substantial gangways, or planks at least twenty-two inches wide, with an iron staple for a stanchion and a handrail or hand rope from the vessel to the quay, for the safety of persons going to or from such vessel.
18.	The masters or others in charge of all passenger-carrying vessels shall be provided with proper gangways to secure the safety of the passengers and others passing to and from such vessels.

Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

**Rosslare Harbour Bye Laws, July 1907**

These byelaws are concerned with the landing, etc., of petroleum and carbide of calcium at Rosslare.

Regulation	Rubric	Text
3.	<i>Red Flag or Light</i>	The Master of every Petroleum Ship shall on nearing the Harbour, and during the time that such ship remains in the Harbour display by day a red flag not less than three feet square and by night a red light on the Mast Head, (or if the said ship has no mast on a Staff).
4.	<i>Notice</i>	The Owner of every Petroleum Ship on entering the Harbour shall without delay, inform the Harbour Master of the quantity of Petroleum on his ship, and of the manner in which such Petroleum is stored, and this shall be deemed to be a notice to the Harbour Authority required by Section 5 of the Petroleum Act 1871.
5.	<i>Berthing of Ship</i>	The Master of every Petroleum Ship shall anchor or moor his ship only at such place as the Harbour Master shall from time to time direct, and shall not remove his ship therefrom except for the purpose of leaving the Harbour without the written order or permission from the Harbour Master. No Petroleum Ship shall be anchored or moored at any place other than that approved by the Harbour Master, whether for the purpose of landing or shipping Petroleum or otherwise.
6.	<i>General Rules for landing Petroleum</i>	<p>The following General Rules in respect of the unloading of Petroleum within the Harbour shall be duly observed.</p> <p>(a) Before any Petroleum is landed the Owner shall give due notice to the Harbour Master of the time and place of such landing.</p> <p>(b) No Petroleum shall be landed at any part of the Harbour, other than such as the Harbour Master shall from time to time direct.</p> <p>(c) Before any Petroleum contained in barrels, or other vessels is landed, the holds of the Petroleum Ship shall be thoroughly ventilated and after all Petroleum has been removed from any Petroleum Ship the holds and tanks shall be thoroughly cleaned. Provided that this Bye Law shall not be deemed to require the cleansing of the Tanks of a Tank Steamer which leaves the Harbour immediately after the discharge of the cargo and of which the tanks are closed up immediately after discharge.</p> <p>(d) Petroleum shall not be landed except between the hours of Sunrise and Sunset.</p>

## Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

<b>Regulation</b>	<b>Rubric</b>	<b>Text</b>
		(e) From the time when the holds or tanks of a Petroleum Ship are first opened for the purpose of landing Petroleum until such time as all Petroleum shall have been removed from such ship, and the holds or tanks shall have been thoroughly cleansed as required by this Bye Law there shall be no fire or artificial light on board such ship or at or near the place where the Petroleum is being landed, provided that this Bye Law shall not prevent the use of a safety lamp of a construction approved by the Harbour Master.
		(f) The Owner shall not allow any smoking at or near the place where Petroleum is being landed nor shall he allow any person engaged in such landing to carry fuzes, matches, or appliance whatsoever for producing ignition.
		(g) No Petroleum contained in casks, barrels, or other vessels, shall be landed in the Harbour unless such vessels are staunch and free from leakage, and are of such strength and construction as not to be liable to be broken or to leak except in cases of gross carelessness or extraordinary accident.
		(h) All pipes, and other appliances used in the landing of Petroleum in bulk shall be reasonably free from leakage.
		(i) When the landing of Petroleum has been commenced, such landing shall be proceeded with due diligence.
		(j) No Petroleum shall be landed at any Quay until the ship or carriage by which the same is to be removed therefrom shall be at the place in readiness to receive the same, and all Petroleum landed in the Harbour shall be forthwith removed therefrom, or to some duly licensed place of storage.
		(k) No Petroleum shall be discharged or allowed to escape in the Waters of the Harbour.
		(l) The Owner shall take all due precautions for the prevention of accident by fire in landing Petroleum.
7.		Two or more Petroleum Ships shall not, except for the purpose of transshipment, lie within 100 feet of one another, unless in the opinion of the Harbour Master it is impracticable to maintain such distance.
8.	<i>Watchman</i>	Every Petroleum Ship shall be watched by a competent person on board said ship until all Petroleum on board shall have been landed, and every Petroleum Ship shall at all times have on board a responsible person to carry out and give effect to the provision of this Bye Law.

Correspondence 8.1 Harbour Master, Rosslare Europort and MCIB response

<b>Regulation</b>	<b>Rubric</b>	<b>Text</b>
9.	<i>Inspection</i>	The Owner shall, when so required by the Harbour Master, or other Officer duly appointed by the Harbour Authority or by any police Constable show to such Officer or Constable all Petroleum under his control or upon his ship and shall afford every reasonable facility to enable such Officer or Constable to inspect and examine such Petroleum so as to ascertain whether these Bye Laws are duly observed.
10	<i>Notice</i>	The Owner or Master of every Ship carrying a cargo any part of which consists of Carbide of Calcium, shall on entering the Harbour immediately give notice of the nature of such cargo to the Harbour Master, and shall place or moor his ship in such place as the Harbour Master may direct; and while any Carbide of Calcium remains on board, shall not, except for the purpose of proceeding to sea, remove his ship without the written permission of the Harbour Master.
11.	<i>Ventilating hold</i>	Every ships hold in which Carbide of Calcium is present, and from which Carbide of Calcium is to be discharged in the Harbour, shall be efficiently ventilated from the time of entering the Harbour until all such Carbide of Calcium has been discharged or until the ship has left the harbour.
12.	<i>Removal after landing</i>	All Carbide of Calcium landed from any ship shall be removed without unnecessary delay to some duly licensed place of storage or beyond the limits of the jurisdiction of the Harbour Authority.
13.	<i>Conveyance in closed vessels</i>	Carbide of Calcium shall only be brought into the Harbour in hermetically closed metal vessels of such strength and construction or so protected as not to be liable to be broken or to become defective or insecure in conveyance otherwise than by gross negligence or extraordinary accident.
14.	<i>Where package may be opened</i>	No vessel containing Carbide of Calcium shall be opened within the limits of the jurisdiction of the Harbour Authority except in some licensed place of storage or without the written consent of the Harbour Master in such place as he may direct.
15.	<i>Precaution against water</i>	Every reasonable precaution shall be taken to prevent the contact of water or moisture with the Carbide of Calcium and where such contact may have occurred, to prevent the gas involved from being ignited.
16.	<i>Inspection</i>	The Owner or Master of the ship or the Owner of the Calcium of Carbide shall, when so required by the Harbour Master or other Officer duly appointed by the Harbour Authority, or by any police Constable, show to such Officer or Constable all Calcium of Carbide under his control or upon his Ship, and shall afford every reasonable facility to enable such officer or Constable to inspect and examine such Carbide of Calcium so as to ascertain whether these Bye Laws are duly observed.







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