

## China MSA released updated safety guideline for prevention of collision between merchant vessels and fishing vessels



On 27 April 2021, China MSA released the updated safety guideline for prevention of collision between merchant vessels and fishing vessels in Chinese coastal waters as attached.

### Special precautions recommended by MSA

In the guideline, MSA reminds merchant vessels and their masters to apply the sea route in avoidance of fishing areas and make due diligence in lookout and safety navigation. Besides, based on precedent collision accidents, MSA specifically suggests merchant vessels and their masters pay attention to:

- (1) When the fishing off restriction is released in August and September, it is the time when fishing vessels become most active;
- (2) The time when collisions frequently occur is 2300 hrs to 0400 hrs.
- (3) The anchored fishing vessels might not keep regular lookout, exhibit lights and

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signals, or turn on AIS, and fishing nets or marks may also cause interference to the signals of AIS and radars and the usage of ECDIS.

- (4) Fishing vessels are usually under catching operation at a speed of about 3 knots and is under restricted maneuverability. Early avoidance actions should be taken and passing by at the distance not less than 1 nm is recommended.
- (5) Collision, even slight contact, will possibly cause damage or sinking of a fishing vessel and the merchant vessel might not be aware of such consequence on the bridge. When passing by at a short distance, the crew should take great care to ensure there is no collision, wave damage or vessel suction.
- (6) Vessels bounding for Korea or Japan without calling at any Chinese port are recommended to sail from the waters east of Taiwan Island to keep away from the Chinese coastal waters.

#### Particular request on emergency rescue

MSA also strongly requests the vessel involving a collision and her crew to stop the engine and conduct emergency rescue after the collision occurs. MSA forbids the vessel to give up rescue and leave the scene. Any hit-and-run vessel could be tracked down by the modern vessel tracking technologies.

#### Our comments

We consider the MSA guidelines reflect the highly possible causes of previous collisions with fishing vessels and are valuable and practical for merchant vessels and their deck officers when sailing in the Chinese coastal waters.

Particularly, we also have seen numerous collisions during the time period when the 2/O was on duty, and thus highly recommend the 2/O of every merchant vessel increase risk awareness when the vessel is passing a Chinese fishing area during his night shift. In a recent collision accident, the Philippine 2/O and duty AB realized the fishing vessel was sailing towards their vessel and collision occurred, but they were in serious negligence not to stop the vessel to double check the condition of the fishing vessel and carry out rescue, and directly left the scene. As a consequence, the fishing vessel sank and 12 crewmembers on board were missing. Based on the VDR data (especially the audio records), MSA concluded that the merchant vessel hit and ran and delivered the case to China Coast Guard for criminal charge against the two

crewmembers. The vessel was detained by MSA and the coast guard for over 7 months before sailing from China and the two crewmembers are still detained in China pending for the potential criminal charges.

**In conclusion, we highly suggest P&I Clubs and Owners circulate this MSA guideline to the masters and their crew to avoid collision in the Chinese coastal waters for loss prevention.**

*(by LI Rongcun & YANG Dongyang from Wang Jing & Co., Xiamen Office)*