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Agenda item 21

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ANY OTHER BUSINESS

REVIEW OF COLREGs REGARDING THE RIGHT OF WAY OF VESSELS OVER PLEASURE CRAFT

Submitted by Italy

SUMMARY

<i>Executive summary:</i>	This document provides relevant information to the revision of the Convention on the International Regulations for Preventing Collisions at Sea 1972, as amended, regarding the right of way of vessels over pleasure craft
<i>Action to be taken:</i>	Paragraph 10
<i>Related document:</i>	MSC 82/24, paragraph 21.35

Introduction

1 The Maritime Safety Committee, at its eighty-second session agreed to add a high priority item on: "REVIEW OF COLREGs REGARDING THE RIGHT OF WAY OF VESSELS OVER PLEASURE CRAFT", to the work programme of the Sub-Committee on Safety of Navigation, with one session to complete the work.

2 This document provides relevant information for amending the Convention on the International Regulation for Preventing Collisions at Sea, 1972, as amended, to give the commercial vessels the right of way over pleasure craft, in order to reduce the risk of collision in areas with high density of pleasure craft and where it is difficult to operate safely for large vessels.

3 Italy wants to underline that if this general principle is recognized and endorsed, it will increase the level of safety at sea and will serve to prevent accidents in the future.

Background

4 Since 1972, mainly due to the improvement of economic conditions of people, the international trade in yachts and pleasure craft increased very rapidly. In the meantime also increased the number, the size and overall the speed of commercial vessels operating in the wide and complex open sea and coastal water net of world around commercial trades. Notwithstanding the Convention on International Regulations for preventing Collisions at Sea, 1972, as amended,

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still treats in equal terms both commercial and pleasure vessels basing the right of way only on the coming sector of the vessel without taking into account both the ship's type and the service she is involved. This needs to be revised.

5 Italy investigates the last period marine casualties and incidents within its national waters. In particular it has been investigated all the collision casualties involving pleasure craft and commercial vessels between 2001 and 2005. A summary of the collisions is attached in annex. It arises that 65 significant casualties between commercial vessels and pleasure craft have been concluded with a number of dead and injured persons. In particular, a high percentage of casualties occurred in coastal waters, especially during summer time and in areas where the density of all type of pleasure craft heavily increase, particularly on the coastal water up to a distance of 6 nautical miles. (Clear example are: North Adriatic sea, Trieste and Naples Gulf, West and East Adriatic coasts, Sardinia and Corsica coastal waters, Otranto channel, etc.)

6 In Rule 9, paragraph (b) and Rule 10, paragraph (j) of COLREGs, 1972, as amended, it is just reported that a "vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of other vessels in narrow channels or following a traffic lane or coastal waters", so as to consider that the last vessels are restricted in their ability to manoeuvre.

7 Moreover the vast majority of pleasure craft either registered or not within the International Federation of pleasure craft, are small ships (90% under 20 metres in length).

8 Therefore ITALY believes that there is a need for amending the Rules of COLREGs, 1972, as amended, to require all pleasure craft of less than 20 metres of length, always to keep out the way of other vessels in those particular conditions reported in paragraph 2.

Proposal of the Sub-Committee

9 Italy has prepared a preliminary draft text of amendments to the COLREGs with respect to pleasure craft that is reported as follow hereunder:

PART A – GENERAL

Rule 3

General definitions

The following definition of "*pleasure craft*" is inserted after paragraph (m).

New paragraph (n):

(n) The term "pleasure craft" means and include all units operating with this purpose:

- pure pleasure craft and pleasure craft employed in chartered activity propelled by any type of propulsion system, of less than 20 metres in length.

Remarks:

As for paragraph (c) "sailing vessels" they are sub-divided into: sailing vessels of less than 20 metres in length and sailing vessels over 20 metres in length.

PART B – STEERING AND SAILING RULES

SECTION I – CONDUCT OF VESSELS IN ANY CONDITION OF VISIBILITY

Rule 8

Action to avoid collision

The following new subparagraph (f) (iv) is inserted after paragraph (f) (iii).

(iv) - A pleasure craft as defined in Rule 3 and sailing vessel employed in all activities (privately or chartered) propelled by machinery or by sail, of less than 20 metres in length, are required non to impede, in any cases, the safe passage of all vellels with length over 20 metres.

Rule 9

Narrow Channels

Paragraph (b) is so modified:

(b) A vessel as defined in Rule 3 or a sailing vessel of less than 20 metres in length, shall not impede the passage of a vessel with length over 20 metres, which can safely navigate only within a narrow channel or fairway.

Rule 10

Traffic separation schemes

New paragraph (m) is added after paragraph (l):

(m) A vessel as defined in Rule 3 or a sailing vessel of less than 20 metres in length, shall not impede the safe passage of a power-driven vessel following a traffic lane.

PART B – STEERING AND SAILING RULES

SECTION II – CONDUCT OF VESSELS IN SIGHT OF ONE ANOTHER

Rule 15

Crossing situation

Add a new paragraph after the existing one:

Notwithstanding as reported above, a vessel as defined in Rule 3 or a sailing vessel of less than 20 metres in length, in the same crossing situations so as to involve risk of collision, shall not impede the passage of a vessel with length over 20 metres.

Rule 17

Action by stand-on vessel

The following new paragraph (e) is inserted after paragraph (d):

(e) Notwithstanding anything contained in the Rules of this Part, a vessel with length over 20 metres, engaged in a dangerous situation with a pleasure craft or sailing vessel of less than 20 metres in length, that doesn't take an appropriate action in compliance with these Rules shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

Rule 18

Responsibilities between vessels

Subparagraph (a) (iv) is modified as follows:

(iv) a sailing vessel with length over 20 metres.

Insert new subparagraph (f) (iii):

(iii) A vessel as defined in Rule 3 or a sailing vessel of less than 20 metres in length, propelled by machinery or by sail, shall keep out of a vessel with length over 20 metres, except how reported in Rule 12 (sailing vessels).

PART C – LIGHTS AND SHAPES

New Rule 26bis is inserted after Rule 26:

Rule 26bis

Pleasure craft underway

In addition to lights and shapes required by other relevant Rules of Part C, all pleasure craft, at or near the top of the mast, shall be equipped permanently in sailing time or in bay anchorages by a radar reflector¹ and, during daylight and in case of high density of traffic with a red/white cylinder of approved dimensions, visible 360°.

Note 1: see resolution MSC.95(72) (adopted on 22 May 2000).

PART D – SOUND AND LIGHT SIGNALS

Rule 34

Manoeuvring and warning signals

The following new paragraph (g) is to insert after paragraph (f):

During night time and near or in areas of restricted visibility, a pleasure craft as defined in Rule 3 of less than 20 metres in length, shall indicate its position with a 5 short flashes every 2 minutes. The light shall be placed on highest position in order to be visible not less than 3 miles, for an arc of 360°.

In case of restricted visibility, the above mentioned craft, shall activate a sound blast with the following characteristics:

Five short and rapid blasts by the whistle or other similar systems with the same intensity every 2 minutes. The blast must be heard at a distance of at least one nautical mile.

Action requested of the Sub-Committee

10 The Sub-Committee is invited:

- .1 to note the above preliminary information provided and to comment as appropriate; and
- .2 to note that an additional document will be submitted for considerations to the next session of NAV.

ANNEX

Collision casualties involving pleasure craft and commercial vessels

	2001	2002	2003	2004	2005	Total
Collisions	9	6	18	17	15	65
injuries	0	0	1	2	2	5
loss of lives	0	0	0	2	0	2
collisions occurred in port	4	2	6	7	4	23
collisions occurred in coastal waters	5	4	8	8	6	31
collisions occurred in channels	0	0	4	2	5	11

