



# THE REPUBLIC OF LIBERIA

## Bureau of Maritime Affairs

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Office of  
Deputy Commissioner  
of Maritime Affairs

16 May 2011

### MARINE OPERATIONS NOTE 2/2011

#### **Subject: Voyage Data Recorder, SVDR and Casualty Investigations**

Ref: (a) MSC/Circ.1024 - Guidelines on Voyage Data Recorder (VDR) Ownership and Recovery  
(b) RLM 109 – Report of Vessel Casualty or Accident

Dear Shipowners/Operators and Masters,

This Administration reminds all Shipowners, Operators, and Masters that in the event of a marine casualty or accident, collection and analysis of the vessel's VDR / SVDR data may provide evidence critical to a casualty investigation. It is therefore required that the shipowner ensures that steps are taken to preserve and collect VDR / SVDR data as soon as possible after a casualty and to provide this Administration with a copy of this data.

The attached MSC/Circ.1024 provides guidelines on the ownership and recovery of VDR / SVDR data. The shipowner is the owner of the VDR / SVDR and its information at all times and in the event of a casualty it is the responsibility of the shipowner to ensure timely preservation and collection of VDR / SVDR data. The procedures for preservation of the VDR data should be included in the vessel's SMS and Masters should be familiar with the operation of the specific VDR / SVDR model installed on their vessel.

It may be necessary to engage a manufacturer's authorized technician to recover the VDR / SVDR data for analysis. An attempt at recovery of the data by an unqualified individual may result in the loss or corruption of the data. Shipowners are advised to refer to the manufacturer's instructions for procedures specific to each model of VDR / SVDR.

In cases where a vessel must be abandoned following a casualty and where time and other responsibilities permit, the vessel's Master shall retrieve the VDR / SVDR module containing the data before abandoning the vessel. Master's should be familiar with the procedures for retrieving the VDR / SVDR module containing the data on their own vessel and for the specific model of VDR / SVDR on board. The vessel's SMS should include a procedure for retrieval of the VDR / SVDR data module prior to abandonment of the vessel.

During the course of an investigation, the Flag State investigator shall have custody of the VDR / SVDR data. Sufficient copies of the data should be made for provision to all investigating authorities. The shipowner may retain a copy of the VDR / SVDR data for use in their own investigation of the incident. This Administration requires that a complete copy of the VDR / SVDR data, including the audio recording, be saved to digital media, such as a DVD or flash drive, with any relevant instructions or required software to access the data, and be sent to us at the following address:

LISCR LLC  
ATTN: Investigations Department  
8619 Westwood Center Drive  
Suite 300  
Vienna, VA 22182  
USA

In addition, this Administration requires that every marine casualty be reported to: [Investigations@liscr.com](mailto:Investigations@liscr.com) as soon as possible. An initial report may be in the form of a simple notification, so that an investigation may be commenced immediately. The official notification of a marine casualty must be made using the RLM-109 – Report of Vessel Casualty or Accident.

If you have any questions, please contact Michael Davies-Sekle at telephone +1 703 251 2407, email [MDavies@liscr.com](mailto:MDavies@liscr.com) or Sean Brett at telephone +1 703 251 2434, email [Sean.Brett@liscr.com](mailto:Sean.Brett@liscr.com), or email [Investigations@liscr.com](mailto:Investigations@liscr.com). To report a marine casualty after hours, please contact our Duty Officer at +1 703 963 6216, or email [dutyofficer@liscr.com](mailto:dutyofficer@liscr.com).

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Ref. T1/2.02

MSC/Circ.1024  
29 May 2002

## **GUIDELINES ON VOYAGE DATA RECORDER (VDR) OWNERSHIP AND RECOVERY**

1 The Maritime Safety Committee, at its seventy-fifth session (15 to 24 May 2002), approved the annexed Guidelines on voyage data recorder (VDR) ownership and recovery which have been developed to support provisions of the revised SOLAS regulation V/15, as amended by resolution MSC.99(73), and, in particular, to support the carriage requirements for voyage data recorders contained in the revised SOLAS regulation V/20, which are expected to enter into force on 1 July 2002.

2 These Guidelines reflect the five basic issues relevant to VDR ownership and recovery, which are ownership, custody, recovery, read-out and access to the VDR information, as envisaged by the revised SOLAS chapter V.

3 In view of the complexity of the matter, close co-ordination and co-operation among interested parties, as appropriate, in any recovery operation of a VDR is encouraged.

4 Member Governments are invited to bring the annexed Guidelines to the attention of all parties concerned.

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## ANNEX

**GUIDELINES ON VOYAGE DATA RECORDER (VDR)  
OWNERSHIP AND RECOVERY****Ownership of VDR information**

1 The ship owner will, in all circumstances and at all times, own the VDR and its information. However, in the event of an accident the following guidelines would apply. The owner of the ship should make available and maintain all decoding instructions necessary to recover the recorded information.

**Recovery of VDR and relevant information**

2 Recovery of the VDR is conditional on the accessibility of the VDR or the information contained therein.

- .1 Recovery of the VDR information should be undertaken as soon as possible after an accident to best preserve the relevant evidence for use by both the investigator<sup>1</sup> and the ship owner. As the investigator is very unlikely to be in a position to instigate this action soon enough after the accident, the owner must be responsible, through its on-board standing orders, for ensuring the timely preservation of this evidence.
- .2 In the case of abandonment of a vessel during an emergency, masters should, where time and other responsibilities permit, take the necessary steps to preserve the VDR information until it can be passed to the investigator.
- .3 Where the VDR is inaccessible and the information has not been retrieved prior to abandonment, a decision will need to be taken by the flag State in co-operation with any other substantially interested States<sup>2</sup> on the viability and cost of recovering the VDR balanced against the potential use of the information. If it is decided to recover the VDR the investigator should be responsible for co-ordinating its recovery. The possibility of the capsule having sustained damage must be considered and specialist expertise will be required to ensure the best chance of recovering and preserving the evidence. In addition, the assistance and co-operation of the owners, insurers and the manufacturers of the VDR and those of the protective capsule may be required.

**Custody of VDR information:**

3 In all circumstances, during the course of an investigation, the investigator should have custody of the original VDR information in the same way that the investigator would have custody of other records or evidence under the Code for the Investigation of Marine Casualties and Incidents.

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<sup>1</sup> The term *investigator* refers to the Marine Casualty Investigator as per the terms of the Code for Investigation of Marine Casualties and Incidents.

<sup>2</sup> Refer to paragraph 4.11 of the Code for the Investigation of Marine Casualties and Incidents, as adopted by resolution A.849(20).

**Read-out of VDR information:**

4 In all circumstances the investigator is responsible to arrange down loading and read-out of the information and should keep the ship owner fully informed. In some cases, the assistance of specialist expertise may be required.

**Access to the VDR information:**

5 A copy of the VDR information must be provided to the ship owner at an early stage in all circumstances.

6 Further access to the information will be governed by the applicable domestic legislation of the flag State, coastal State and other substantially interested States as appropriate and the guidelines given in the Code for the Investigation of Marine Casualties and Incidents.

7 Any disclosure of VDR information should be in accordance with section 10 of the Code for the Investigation of Marine Casualties and Incidents.

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