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The draft of the investigation report is submitted to the persons and institutions, which have been questioned during the casualty investigation by the BSU or are otherwise affected by the accident for comments within 30 days.

Subsequently the BSU reviews the comments and, if they are substantial, incorporates the comments in the final investigation report before it is being published.

**The publication of the investigation reports is being announced by press releases. The investigation reports may be ordered at the BSU and are available to the public at our homepage [www.bsu-bund.de](http://www.bsu-bund.de) .**



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**Brief information about the activities of the Maritime Board:**

The aforementioned SUG also regulates the tasks of the Marine Board in a separate section. The Maritime Board is a public authority which organisationally as well as in terms of the tasks and objectives is strictly separated from the BSU.

The Maritime Board has to ascertain violations of standards on board of seagoing vessels in an official proceeding, and where appropriate, to sanction the violations. In this regard a certificate of competency or a licence to sail might be withdrawn or suspended.

**In this respect it has to be pointed out, that evidence given by a person to the BSU may not be used against this person in a Maritime Board proceeding.**

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**General information about the activities of the Federal Bureau of Maritime Casualty Investigation (BSU)**

On the basis of numerous international conventions the Federal Republic of Germany as many other countries has a duty to conduct an investigation into accidents associated with the operation of a seagoing vessel (marine casualty). The purpose of the investigation is to enhance safety of shipping by learning from the incident.

The investigation does not serve to apportion blame to individuals in order to expose them to a legal disadvantage. The Federal Bureau of Maritime Casualty Investigation neither imposes sanctions nor does it support prosecutions in this regard.



Tasks and objectives of the maritime casualty investigation, the competence of the responsible public authorities as well as the rights and

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duties of persons who may be able to provide information, are regulated by the **Maritime Safety Investigation Law (SUG)** which entered into force on June 20<sup>th</sup>, 2002.



According to the aforementioned law the Federal Bureau of Maritime Casualty Investigation (BSU) is the competent German public authority for the maritime casualty investigation.

The Bureau is authorised to investigate marine casualties on board of ships sailing under the German flag world-wide. Furthermore it may investigate marine casualties on board of vessels flying foreign flags as far as they have occurred in German territorial waters or if an investigation is of public interest. The latter is e.g. the case when German citizens are affected by the marine casualty.

One of the most important rights of the BSU in the course of a casualty investigation is the right of

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access to the vessel, and the authority to inspect documents and data on board and if necessary to secure the documents and the data.

Of particular importance are furthermore the interviews of persons involved, who may provide information about the course of the accident.



The mentioned rights may be exercised by staff members of the BSU as well as by persons authorised by the BSU.

This can apply to federal and state police officers who act on behalf of the BSU.

Persons who are able to provide information about the course of the accident, in particular crew members and pilots, are obliged to tell the truth under the terms of the SUG. However, they may refuse to answer single questions which might expose them or their relatives to legal proceedings because of the marine casualty.

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**Evidence given to the investigation team of the BSU may not be used in other proceedings to the disadvantage of the persons who have given the evidence.**

**The same applies to evidence given to police officers as far as the person giving the evidence makes use of her/his right to refuse to answer questions according to the provisions of the Criminal Law or the Regulatory Offences Act and only answers questions for confidential use by BSU.**



After the investigation has been completed the BSU prepares a draft of the investigation report. The report - safeguarding the anonymity of the persons involved - presents the circumstances of the accident, points out the causes and draws conclusions. These lead to the final safety recommendations.