

**Select Committee on Transport and Communications
Merchant Shipping (Investigation of Marine Accidents)
Bill 2024**

**Third Stage – Opening Statement by Mr. James Lawless TD,
Minister of State, Department of Transport**

Introduction

I thank the Committee for facilitating Committee Stage today for the Merchant Shipping (Investigation of Marine Accidents) Bill 2024.

One of the main objectives of this Bill is to provide for the establishment of a Marine Accident Investigation Unit (or MAIU) within the Department of Transport.

It provides for a transition from the current structure, where the Marine Casualty Investigation Board (or MCIB) is the designated investigative body, to the establishment of a full-time permanent MAIU within the Department of Transport, analogous to the Air Accident Investigation Unit and the Railway Accident Investigation Unit.

Offshore service vessels

The Bill also provides for a regulatory regime to be put in place for the construction and operation of offshore service vessels, which will operate in Ireland to support the offshore renewable energy sector and provide for the carriage of industrial personnel. This will provide a robust system to ensure that such vessels are safe to operate and provide protection to the crew and to the industrial personnel being carried. This regulatory regime has resulted in the need for some consequential amendments to our existing primary legislation, which I have also included in the Bill, to ensure it is consistent with the regime we now wish to put in place.

Updating legislative references

I am also taking the opportunity to update the references to two conventions – the International Maritime Organization’s Safety of Life at Sea Convention (or SOLAS) and the International Labour Organization’s Maritime Labour Convention (or MLC) – in existing legislation to enable more recent amendments to these conventions to be addressed in national secondary legislation.

Pre-legislative scrutiny was carried out by the Joint Committee on Transport and Communications last year and the report was published on the 2nd of May 2023. I would like to thank the Committee for its recommendations, a number of which I have taken on board, and I believe these have strengthened the Bill.

Amendments

I intend to bring forward a number of amendments today, which I am happy to discuss with the Committee.

- I will propose amendments in relation to the processing of personal data under the EU General Data Protection Regulation and the Data Protection Act of 2018.
- Another amendment I will propose relates to ensuring that the MAIU's accident investigation reports are prohibited from being used in criminal proceedings. This will ensure witnesses and those involved in marine accidents can provide information without the fear of this information being used in litigation. It is not the purpose of a marine safety investigation of the MAIU to apportion blame or liability, so this amendment is important in this regard.

- Finally, as I mentioned a moment ago, I am proposing some further consequential amendments to the Bill, which will ensure that we have the necessary survey powers in place to survey the safety equipment that will be placed on board offshore service vessels. These consequential amendments make changes to several pieces of existing primary legislation that provide for the requirement to carry safety equipment on board Irish ships and for the inspection of that equipment. These are minor amendments to existing primary provisions, but they have a real-life impact. The survey of safety equipment is vital to ensure that a ship has all of the appropriate safety equipment on board needed for the safe navigation of the vessel and for emergency situations. The survey will also ensure that the equipment is maintained in an appropriate manner and is replaced when coming to its end of life.

In addition to the main amendments I've just outlined, I'm also proposing two other small technical amendments for consistency in the Bill.

Conclusion

Before concluding, I would like to take this opportunity to express my appreciation for the ongoing work of the MCIB, its Board members and its investigators. The move towards a full-time, permanent maritime investigation resource will build on the important contribution that the MCIB has made in this area.

Once again, I thank the committee for facilitating the hearing of the Bill and I look forward to our discussion today.