MCIB
Marine Casualty Investigation Board
Bord Imscrúdú Taismí Muirí

REPORT OF AN INVESTIGATION INTO A MARINE CASUALTY INVOLVING THE PASSENGER VESSEL SEA BREEZE III IN OR AROUND THE SKELLIG ISLANDS, CO. KERRY ON OR ABOUT 7 JULY 2024

REPORT NO. MCIB/339
(No.6 OF 2025)

The Marine Casualty Investigation Board (MCIB) examines and investigates all types of marine casualties to, or on board, Irish registered vessels worldwide and other vessels in Irish territorial waters and inland waterways.

The MCIB objective in investigating a marine casualty is to determine its circumstances and its causes with a view to making recommendations for the avoidance of similar marine casualties in the future, thereby improving the safety of life at sea and inland waterways.

The MCIB is a non-prosecutorial body. We do not enforce laws or carry out prosecutions. It is not the purpose of an investigation carried out by the MCIB to apportion blame or fault.

The legislative framework for the operation of the MCIB, the reporting and investigating of marine casualties and the powers of MCIB investigators is set out in the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

In carrying out its functions the MCIB complies with the provisions of the International Maritime Organisation's Casualty Investigation Code and EU Directive 2009/18/EC governing the investigation of accidents in the maritime transport sector incorporated into Irish law by the European Communities (Merchant Shipping) (Investigations of Accidents) Regulations S.I. No 276 of 2011.

This report is published under and in accordance with the Merchant Shipping (Investigation of Marine Casualties) Act 2000 as amended by the Merchant Shipping (Investigation of Marine Casualties) (Amendment) Act 2022 and/or under and in accordance with the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011. It is not published under the Merchant Shipping (Investigation of Marine Accidents) Act 2025, Parts 1 and 5 of which were commenced by the Merchant Shipping (Investigation of Marine Accidents) Act 2025 (Commencement) Order 2025 S.I.188 of 2025 from 1 June 2025.

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The Marine Casualty Investigation Board was established on the 25th March 2003 under the Merchant Shipping (Investigation of Marine Casualties) Act, 2000.

Glossary of Abbreviations and Acronyms

BIM	Bord Iascaigh Mhara
CCTV	Closed-Circuit Television
DSC	Digital Selective Calling
EPIRB	Emergency Position Indicating Radio Beacon
GDPR	General Data Protection Regulation
GT	Gross Tonnage
LOA	Length Overall
MCA	Maritime and Coastguard Agency
MCIB	Marine Casualty Investigation Board
MGN	Marine Guidance Notice
MMSI	Maritime Mobile Service Identity
MRCC	Marine Rescue Co-ordination Centre
MRSC	Marine Rescue Sub Centre
MSO	Marine Survey Office
MV	Motor Vessel
OPW	Office of Public Works
RNLI	Royal National Lifeboat Institute
RPM	Revolutions Per Minute
S.I.	Statutory Instrument
SOLAS	Convention for the Safety of Life at Sea (SOLAS Convention)
STCW	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers
UK	United Kingdom
UKHO	United Kingdom Hydrographic Office
UTC	Co-ordinated Universal Time
VHF	Very High Frequency

Centimetre	cm
Cubic metre	M^3
Hour	hr
Kilogram	kg
Kilowatt	kW
Knot	kt
Litre	lt
Metre	m
Metre per second	m/s
Metric Tonne	MT
Millimetre	mm
Nautical mile	NM
Tonne	t

Report MCIB/339 published by the Marine Casualty Investigation Board.

27th November 2025.

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1. SUMMARY

1.1 At around 07.45 hrs on 7 July 2024, the 11.58 metre (m) long passenger vessel MV Sea Breeze III, departed from Portmagee, Co. Kerry, Ireland, bound for Great Skellig (Skellig Michael/Sceilg Mhichíl). The vessel had two crew and 12 passengers onboard. The weather conditions were favourable with a light breeze of 4 to 6 knots (kt), a low swell and good visibility.

1.2 The vessel proceeded directly to the concrete landing dock located on Great Skellig and at approximately 09.00 hrs, the 12 passengers were landed ashore accompanied by one crewmember, leaving the Skipper alone onboard. It was standard practice for the vessel to move away from the landing dock and drift, awaiting the return of the passengers and crewmember in around 2.5 hrs time.

1.3 At approximately 09.10 hrs the engine compartment bilge alarm sounded onboard MV Sea Breeze III. The Skipper inspected the compartment, and he observed water at the base of the engine. He started the engine and steering compartment bilge pumps and telephoned the vessel Owner. They agreed that the vessel would return to Portmagee, approximately 9.5 nautical miles (NM) away, and that the Owner would rendezvous on passage using another quicker vessel, the MV Skellig Flier. No Very High Frequency (VHF) radio or mobile telephone call was made to the Coast Guard.

1.4 The stern of MV Sea Breeze III gradually became lower in the water and when the Owner reached the vessel at around 09.35 hrs it was already close to sinking. The Owner manoeuvred alongside and instructed the Skipper to transfer across to his vessel. Within minutes MV Sea Breeze III sank stern first in around 80 m of water, in a position approximately 2.9 NM to the north of Little Skellig. The Emergency Position Indicating Radio Beacon (EPIRB) was activated at 09.38 hrs as the vessel sank.

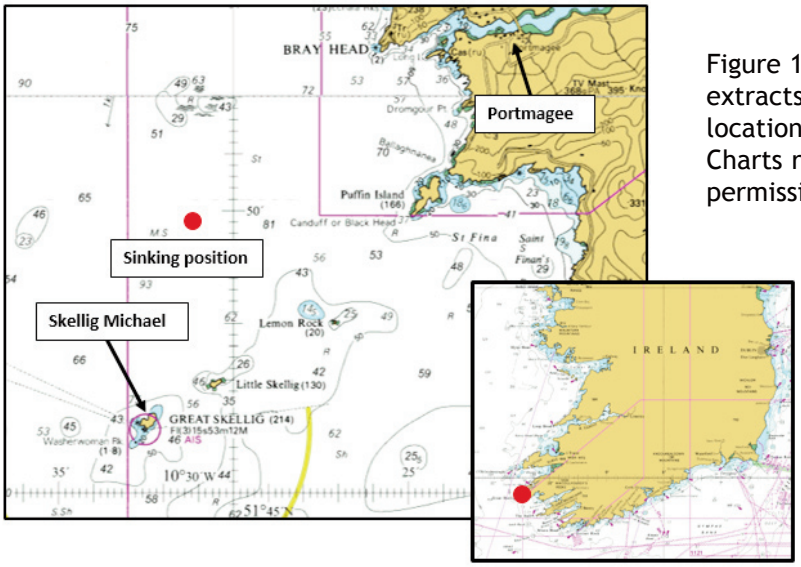

Figure 1: Annotated chart extracts of charts 0002 and 2423, location of sinking.
Charts reproduced with the permission of the UKHO.

Note: Times are local time = UTC + 1 (Co-ordinated Universal Time + 1 hour).

2. FACTUAL INFORMATION

2.1 Personal Watercraft Specifications:

Name:	Sea Breeze III.
Flag:	Ireland.
Type of Vessel:	Motor Vessel (MV). Sightseeing up to 12 passengers, P5 classification (see 2.3.2 below).
Length Overall (LOA):	11.58 m.
Breadth:	3.59 m.
Draught:	1.2 m.
Gross Tonnage (GT):	12 (approximate).
Build Year:	1995.
Builder:	Aquastar Guernsey Limited.
Hull Material:	Glass Reinforced Plastic.
Hull Type:	Semi-displacement.
Engine Capacity:	2 x 335 horsepower.
Engine Make and Model:	2 x Cummins 6BTA (reconditioned 2022).
Class P5 Passenger Boat Licence No:	907, date of issue 19 July 2023.

See Appendix 7.1 – Passenger Boat Licence of a Class P5 Passenger Boat.

Figure 2: MV Sea Breeze III lying ashore Portmagee.

2.1.1 The vessel is constructed by way of two principal mouldings. The hull moulding has a raked stem and includes a raised transom and keel. The deck moulding includes the forward coach roof and ring deck. The hull is stiffened internally with fibreglass stiffeners and plywood bulkheads. The vessel is subdivided by plywood bulkheads creating the accommodation, engine and tank spaces.

2.1.2 The bilge pump arrangement onboard is as follows:

i) Forward compartment. One electric bilge Jabsco 23680-4003 'Water Puppy' self-priming 12 volt dc pump with a manufacturer's stated maximum capacity of up to 35 litres (lts) per minute.

ii) Engine compartment. One Jabsco 23680-4003 a manufacturer's stated maximum capacity of up to 35 lts per minute. The engine compartment bilge alarm float switch is located on the starboard side around, 17.5 centimetre (cm) (7 inches) forward of the starboard engine fly wheel, with a clearance of around 30.5 cm (1 foot), from the lowest point of the bilge well.

iii) Aft (steering) compartment. One Jabsco 23680-4003 with a manufacture's stated maximum capacity of up to 35 lts per minute. One Rule 1000 GPH Bilge Pump fitted with a float switch with a manufacturer's stated maximum capacity of 63.08 lts per minute.

In addition, there are three manual, hand powered, bilge pumps fitted.

Commercial Duty Puppy Performance			
Typical performance for new pump running water at 20°C with fully charged battery.			
Total head		Flow	
m	ft	lpm	USgpm
2	7	35	9.2
3	10	32	8.5
4	13	30	7.9
6	20	25	6.6

Figure 3: Performance data for a Jabsco 23680-4003 'Water Puppy' self-priming 12 volt dc pump.

2.1.3 The engine and steering compartments are not segregated by a watertight bulkhead, meaning water can flow between the compartments, albeit the flow of liquid is restricted due to the size of the holes through the bulkhead. Therefore, the total combined electric bilge pumping capacity in the two aft compartments is theoretically 127 lts per minute if all pumps are running and operating to the manufacturer's stated maximum capacities.

2.1.4 There are five through hull fittings in the starboard side hull for the manual fire pump intake, the starboard engine intake, the speed log and two blanked fittings in the engine space. There are four through hull fittings in the port side hull for the port engine intake, deck washdown pump, toilet intake and toilet discharge. There previously were two transducers fitted to port and starboard, however, these were removed and the holes repaired with fibreglass.

2.1.5 The two Cummins 6BTA engines were reconditioned in 2022. The original Sherwood P1730X cooling water pumps were replaced with JPR-S7622 pumps which are a like-for-like replacement in terms of capacity. The cooling pumps have a published flow rate of 20 US Gallons or 75.7 lts per minute at 2500 revolutions per minute (RPM).

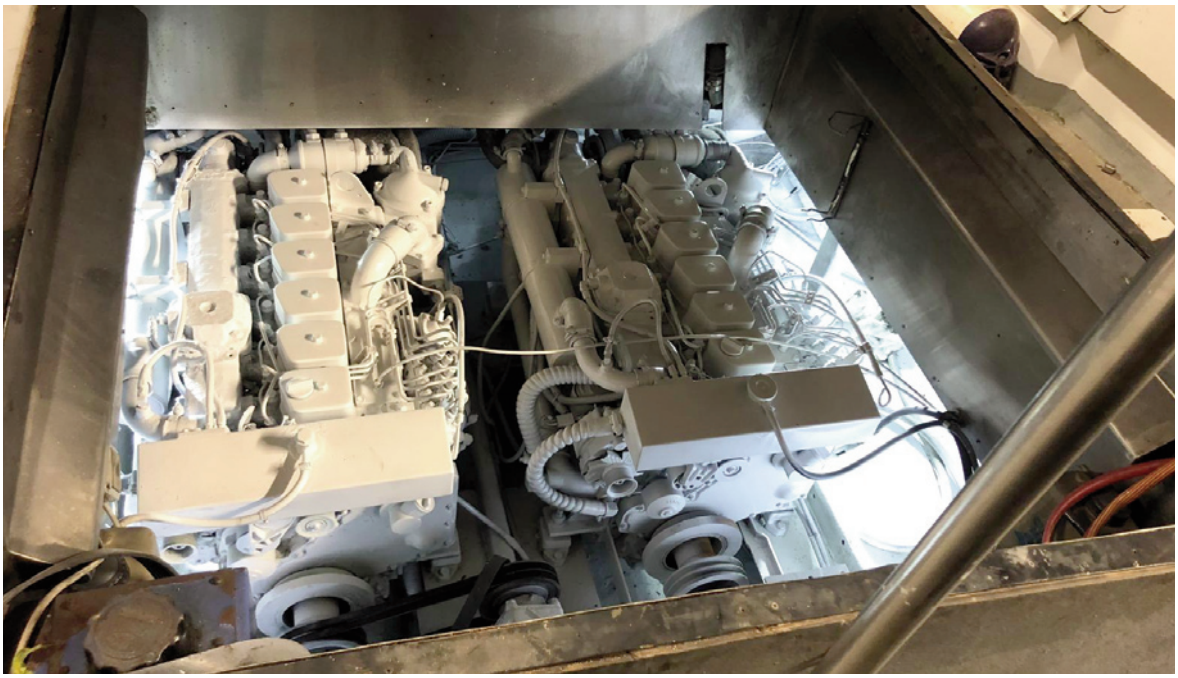

Figure 4: Engine compartment onboard Sea Breeze III.

2.1.6 The exhaust systems are fitted with Vetus waterlocks, designed for vessels with limited space in the engine compartment. The units were fitted in 2022 as part of the engine reconditioning process. A waterlock collects the water and pushes it upwards through the exhaust with the exhaust fumes by means of overpressure. A waterlock also muffles the noise, because it remains at water level. The outlet connection at the top of the Vetus model can rotate through 360 degrees and the inlet connection is at an angle of 45 degrees upward. The unit can only be

installed on water injected exhaust systems, such as was present on MV Sea Breeze III. The waterlocks are made of synthetic material and therefore not susceptible to corrosion of galvanic action. The waterlock is suitable for use with 90 millimetre (mm), 102 mm and 127 mm internal hose diameters and it is supplied with stainless steel (AISI 316) clamp bands to connect the exhaust hoses.

Figure 5: Example of Vetus waterlock installed on MV Sea Breeze III.

2.1.7 The exhaust gases and cooling water are discharged through two stainless steel exhausts located on the transom of the vessel. The exhausts are fitted with hinged flaps, designed to open to allow cooling water and gases to exit and stop and water surging back into the exhaust system.

Figure 6: Exhaust arrangement on MV Sea Breeze III.

2.1.8 There are no photographs available of the stern gland arrangement onboard MV Sea Breeze III. The Owner advised that the stern gland was of a common type (see example below). Onboard MV Sea Breeze III a rubber hose was used to seal the propeller shaft tube to the stuffing box.

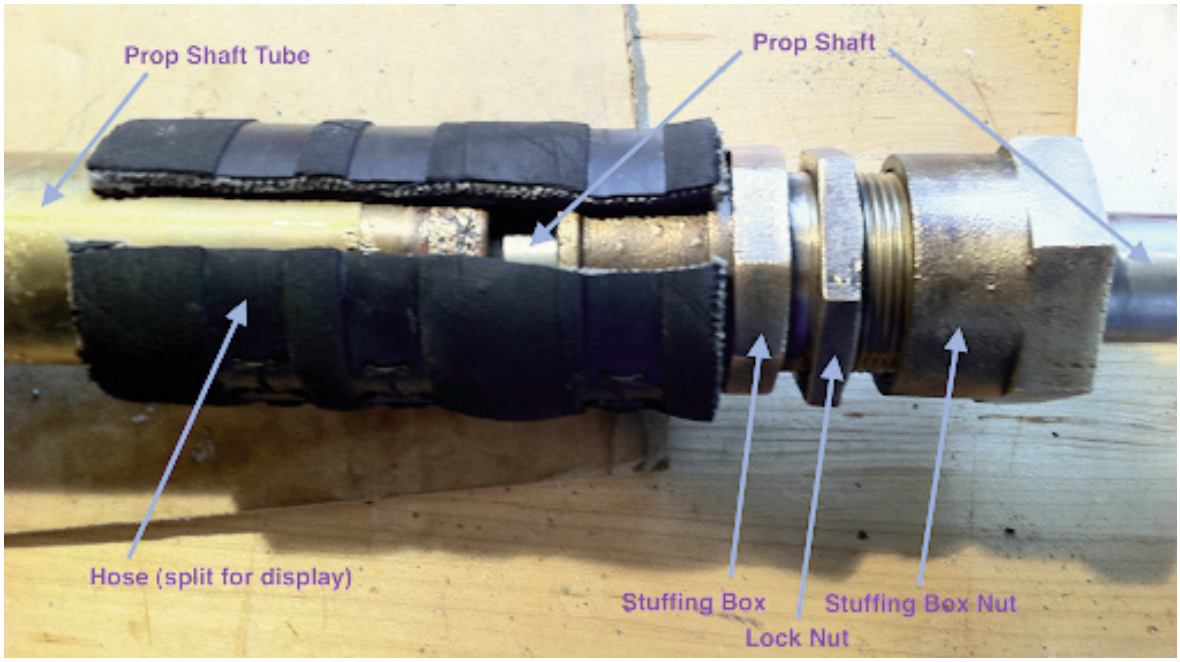

Figure 7: Example of the stern gland arrangement onboard MV Sea Breeze III.

2.1.9 The deck and superstructure are finished with a painted surface, with non-slip on the working deck areas. The cockpit is self-draining through scuppers. The hatches and windows are aluminium framed, the pulpit extends aft to the cockpit and is secure. There is access to the transom space aft through a deck hatch in the cockpit sole, where the hydraulic steering gear is located.

2.1.10 In the wheelhouse the helm console is to port. The engine instrument panels include tachometers, oil pressure gauges, temperature gauges, and voltmeters. Instruments include steering compass, auto pilot, depth sounders, chart plotters, radar and VHF radios. The vessel carried a liferaft and EPIRB both fitted with hydrostatic release units.

2.2 Crew Details

2.2.1 Skipper

The Skipper is a 73 year old Irish national who has worked for the cruise company for 12 years during which time he has been Skipper of the MV Sea Breeze III. He holds a commercially endorsed P5 Certificate of Competency issued by Bord Iascaigh Mhara (BIM) and has 55 years of sea going experience. On average the Skipper makes 100 passenger landings on Great Skellig each season, meaning with disembarkation and embarkation, he will manoeuvre alongside the concrete

landing dock around 200 times a year; taking COVID disruption into consideration, this equates to around 2000 landings.

2.2.2 **Crewmember**

The Crewmember is a 65 year old Irish national. He has worked for the cruise company for two years onboard MV Sea Breeze III. He holds a passenger boat training card issued by BIM with a Category A Commercial Endorsement.

2.2.3 **Owner**

The P5 Passenger Boat Licence issued by the Department of Transport is issued to a vessels owner which is, on the licence applicable at the time of the incident, stated to be one of the two directors/owners of the cruise company that offers marine activities involving boat trips to the monastic settlement on the Skellig Islands as well as boat trips for sea angling. The individual holds a commercially endorsed Certificate of Competency issued by BIM. As well as managing the operation of the fleet he also acts as skipper of vessels as required.

2.3 Relevant Legislation

The Merchant Shipping Act 1992[1]

2.3.1 Under the Merchant Shipping Act 1992 ("the 1992 Act") all passenger boats carrying up to twelve passengers for reward are required to hold a valid passenger boat licence. Section 15 (1) of the 1992 Act provides:

"On application to the Minister in that behalf by the owner of a vessel, the Minister shall, subject to subsection (5), grant a licence to the owner in relation to the vessel (which shall be known as a passenger boat licence and is referred to in this Act as "a licence") if, but only if, an authorised person has inspected the vessel not more than 2 months before the date of the application and has stated in a report of the inspection to the Minister in writing that, in his opinion—

(a) the vessel is suitable, subject to such conditions and restrictions (if any) as he may specify, for use as a passenger boat, and

(b) if regulations under section 18 are in force, that it complies with the regulations."

The 1992 Act defines "owner " as "owner", in relation to a vessel, means the person registered under the Mercantile Marine Act, 1955 , as its owner or, if no person is so registered, the person who owns the vessel, and includes any part owner, charterer, manager or operator of the vessel;"

The Merchant Shipping (Passenger Boat) Regulations 2002[2]

2.3.2 These Regulations require all passenger boats to comply with the safety requirements applicable to their class of vessel as set out in the Regulations. In

1. The Merchant Shipping Act 1992
2. The Merchant Shipping (Passenger Boat) Regulations 2002

addition to minimum structural requirements, the Regulations provide detailed standards in respect of:

- Operational freeboard;
- Stability;
- Propulsion;
- Steering;
- Fuel systems;
- Electrical equipment and installations;
- Bilge pumping arrangements (see below);
- Firefighting and fire extinguishing arrangements;
- Lifesaving appliances;
- General (equipment).

To obtain a passenger boat licence the boat must be inspected by an "authorised person", this person being a surveyor or a person authorised in writing by the Minister to carry out inspections of vessels for the purposes of Part III of the Merchant Shipping Act 1992. Following an inspection, the authorised person certifies that the passenger boat complies with the Merchant Shipping (Passenger Boat) Regulations, and certifies that the vessel is suitable, subject to such conditions and restrictions as may be specified on the passenger boat licence, for use as a passenger boat. For the purposes of the Regulations, passenger boats are arranged into the following Classes:

Class P1 - Passenger boats with no more than three passengers onboard used for domestic voyages in smooth waters in the course of which the passengers are engaged in activities other than those specified in Class P4.

Class P2 - Passenger boats with no more than twelve passengers onboard used for domestic voyages in smooth waters or in partially smooth waters in the course of which the passengers are engaged in activities other than those specified in Class P4.

Class P3 - Passenger boats with no more than twelve passengers onboard used for domestic voyages in smooth waters, in partially smooth waters or to sea in the course of which the passenger boats are within fifteen miles (exclusive of any smooth waters or partially smooth waters) from their designated points of departure and within three miles from land.

Class P4 - Passenger boats with no more than three passengers onboard used for domestic voyages in smooth waters, in partially smooth waters, within harbour limits, or to sea in the course of which the passenger boats are within half a mile

(exclusive of any smooth waters or partially smooth waters) from their designated points of departure; provided that the passengers are engaged exclusively in the course of their employment in connection with marine civil engineering, survey of harbour limits, dredging or similar commercial activities.

Class P5 - Passenger boats with no more than twelve passengers onboard used for domestic voyages in smooth waters, in partially smooth waters or to sea.

Class P6 - Passenger boats with no more than twelve passengers onboard used for domestic voyages in smooth waters, in partially smooth waters or to sea, in the course of which the passengers are engaged actively and solely in waterborne activities in which the passenger boats form an integral and necessary part of those activities.

2.3.3 MV Sea Breeze III is classed as a P5 vessel. The Regulations require a P5 vessel of under 12 m in length to comply with the bilge pumping arrangements for a P3 *vessel which are as follows:*

"Class P3 Passenger boats shall:

(i) be provided with a fixed bilge pumping system capable of pumping water from any enclosed compartment within the hull of the vessel. Any such bilge system shall be operable from above the weathertight deck;

(ii) arrange the bilge pumping, piping and associated valves in such a way as to prevent flooding, through the system, of any compartment or from one compartment to another;

(iii) in the case of vessels of 12 metres in length and over, be fitted with bilge pumps having a total capacity of at least 275 litres per minute and at least one of those pumps shall be power driven with a capacity of at least 140 litres per minute. Where two power pumps are provided, each shall be supplied from an independent power source;

(iv) in the case of vessels of less than 12 metres in length, have a bilge pumping capacity of at least 90 litres per minute;

(v) be fitted with a bilge level detector and an audible alarm to monitor the bilge level within any enclosed space containing machinery essential for the propulsion of the vessel;"

Merchant Shipping (Passenger Boat Manning) Regulations 2005[3]

2.3.4 The Regulations apply to passenger boats of classes P1 to P6, which are less than 80 GT or less than 24 m registered length. A master of a passenger boat shall hold a commercial endorsement issued by Irish Sailing Association or BIM which includes the following basic training:

3. Merchant Shipping (Passenger Boat Manning) Regulations 2005

(a) personal survival techniques,

(b) first aid, and

(c) medical fitness.

2.3.5 A commercial endorsement shall be revalidated every five years. The Regulations require that a passenger boat which is specifically designed to enable it to have a radio onboard, and has a radio onboard, shall have at least one person onboard holding a Radio Operator's Certificate issued by the Commission for Communications Regulation, suitable for the radio equipment onboard and suitable for the area of operation of the vessel.

2.4 Voyage Particulars

The sinking occurred in Irish territorial waters in a position approximately 2.9 NM to the north of Little Skellig, southwest Ireland. The vessel had departed from Portmagee and disembarked passengers on Great Skellig, the vessel sank whilst on emergency passage back to Portmagee.

2.5 Marine Incident Information

This incident resulted in a marine casualty as defined in section 2 of the Merchant Shipping (Investigation of Marine Casualties) Act,2000, which defines a marine casualty and a vessel in the following terms:

''marine casualty'' means an event or process which causes or poses the threat of—

(a) death or serious injury to a person;

(b) the loss of a person overboard;

(c) significant loss or stranding of, or damage to, or collision with, a vessel or property; or

(d) significant damage to the environment,

in connection with the operation of—

(i) a vessel in Irish waters;

(ii) an Irish registered vessel, in waters anywhere; or

(iii) a vessel normally located or moored in Irish waters and

under the control of a resident of the State, in international waters contiguous to Irish waters, and includes an accident or damage referred to in section 26(1)(b);

''vessel'', in relation to a marine casualty, means a vessel or craft (or part of a vessel or craft) which at the time of the casualty—

(a) is registered in the State, or

(b) is located in the State (including in Irish waters), or

(c) being a vessel normally located or moored in Irish waters, is under the control of a resident of the State in international waters contiguous to Irish waters,

and capable of being used, or intended to be used, for navigation or transportation on water, but does not include a seaplane."

The incident is classed as a marine casualty due to the loss of MV Sea Breeze III.

Date:	7 July 2024.
Time:	09.38 hrs.
Position:	Latitude 51° 49.0' North, Longitude 010° 31.0' West.
Wind Speed:	Beaufort Force 2 - light breeze - kts 4 – 6. Metres per second (m/s) 2.1 - 3.1
Wind Direction:	West.
Sky:	Scattered clouds.
Visibility:	Good. Over 5.0 NM (hours of daylight).
Sea:	Moderate 1.25 m to 2.5 m.
Swell:	Low 0 – 2 m.
Current:	Westerly 0.4 kts.

2.6 Emergency Response and Shore Authority Involvement

2.6.1 At 09.38 hrs the vessel's EPIRB activated as the vessel sank, sending a distress alert via satellite. From 09.41 hrs onwards Coast Guard staff at Dublin Marine Rescue Co-ordination Centre (MRCC), liaised with staff at the UK Mission Control Centre, Valentia Marine Rescue Sub Centre (MRSC) and Dublin National Maritime Operations Centre. Shannon air traffic control reported that a British Airways flight had received a strong EPIRB signal near Valentia Island. The Skipper onboard MV Sea Breeze III did not respond to calls on VHF channel 16. Telephone contact was established with the company owner's wife, who confirmed the company owner had proceeded to sea, but that she had no knowledge of what had occurred to MV Sea Breeze III.

2.6.2 At 09.53 hrs the local Royal National Lifeboat Institution (RNLI) crew were paged, and a VHF MAYDAY relay was issued by MRCC Valentia. Telephone calls to the Owner's telephone went unanswered, as he had lost his mobile telephone overboard, and at 09.56 hrs Waterford helicopter R117 was tasked to proceed to the scene. At 09.57 hrs the Owner, using the Skipper's telephone, confirmed to MRSC Valentia, that MV Sea Breeze III had sunk, there were no casualties and that

the EPRIB and liferaft were being recovered. The helicopter and RNLI were stood down. At 10.00 hrs the MAYDAY was cancelled.

2.7 Vessel Inspections

2.7.1 The vessel was subject to an out of water inspection by a marine surveyor carried out for the Owner for insurance purposes on 5 March 2024 ("the March Survey"). The surveyor was recommended to the Owner by a local boat builder as he had been conducting the majority of surveys in the area and was familiar with the insurers' requirements. The survey identified items requiring attention and stated *"This inspection was to ascertain the general condition of the vessel for insurance purposes. The boat is in fair condition and holds a current Passenger boat licence but there are some items that require attention. I have listed priority recommendations, which should be considered straight away and advisories, which are not urgent and may only be cosmetic in nature"*. A further updated report was issued on 23 May 2024 referencing the works completed after the initial March survey report which were apparently checked by the surveyor.

See Appendix 7.2 – Survey Report MV Sea Breeze III Dated 23 May 2024.

2.7.2 The March survey identified "priority recommendations" to be considered straight away, the follow-up actions undertaken by the Owner as reported in the updated report of 23 May 2024, are underscored:

"13.1 Fit a means of reboarding that is deployable from the water.

13.2 Service the manual bilge pumps ensuring they are all operating and ensure there is a handle located in a fixed position near the pumps. <u>All pumps now working satisfactorily.</u>

13.3 Ensure all through hull fittings are secure with freely operating valves. The fire pump intake pipe, seacock and through hull fitting should be replaced. The toilet seacocks should be replaced. <u>All seacocks serviced/replaced and all tested and working.</u>

13.4 Refit the fuel line on the starboard engine. <u>This has been fitted</u>.

13.5 The cracking in the hull under the wheelhouse should be cleaned back to sound material and reinforced. The stiffeners should be cut out and rebuilt where cracked. The crack noted externally in that area should be cleaned back and repaired. <u>The hull has been repaired and extra stiffeners have now been fitted (Fig. 9, 10)".</u>

2.7.3 The survey identified that *"the bulkhead mounted pump (in the steering gear compartment) is not working"*, but this item was not listed as a priority recommendation. The Owner advised that a replacement pump was fitted. The report made no reference to the testing of bilge alarms.

Figure 8: Fibreglass repairs to the hull with extra stiffeners added.

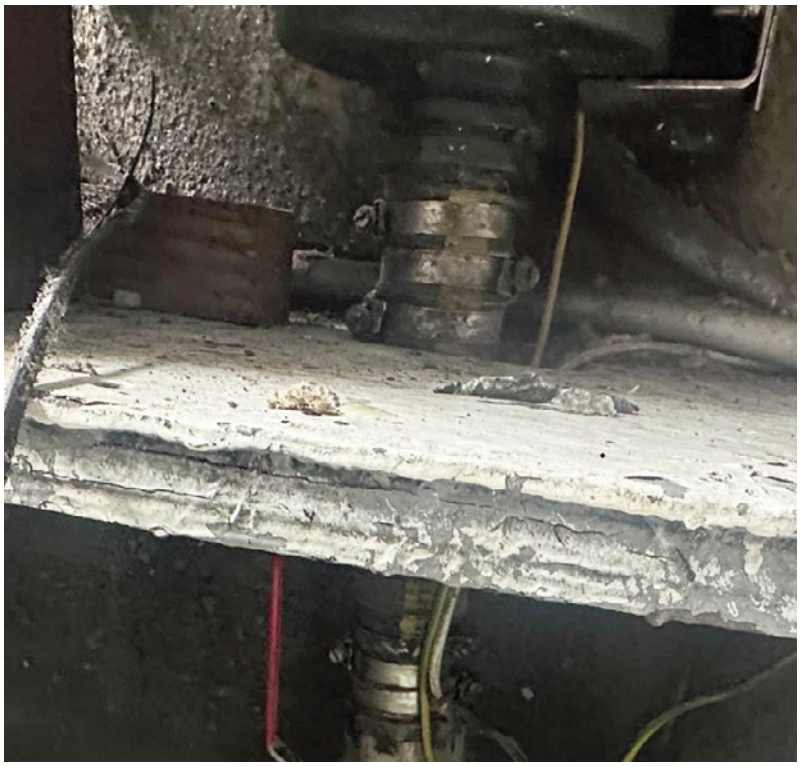

Figure 9: Replacement sea cock.

The March survey also identified advisory work which the surveyor considered not to be urgent ("and may only be cosmetic in nature"), the actions post survey are underscored:

"14.1 Replace the cutlass bearings.

14.2 Remove all underwater through hull fittings that are no longer in use and carry out local repairs to the hull in those areas. The large transducers have been removed and the hull repaired (Fig. 11).

14.3 Clean out the bilges in order to monitor any leaks. Bilges have been cleaned and dried out to facilitate repair work.

14.4 Clean back and re-fibreglass the forward bulkhead in the tank space. This has been repaired."

2.7.4 The survey report had no overall conclusion. The revised report dated 23 May 2024 stated *"2.2 Repairs have now been carried out with updates in blue under the priority recommendations and advisories below"*. i.e. the surveyor was satisfied that the five priority recommendations and three of the four advisories had been completed.

2.7.5 The vessel was subject to a Marine Survey Office (MSO) out of water inspection on 20 February 2023. A copy of the survey report is appended. No defects were identified, the comments were as follows *"Hull examined externally, "P" Brackets shaft line and rudders inspected, exhaust flaps examined. Starboard propeller shaft pulled back for inspection. In good condition."* The report confirms the presence of a bilge alarm and two powered bilge pumps. The report did not identify the same defects as identified in the subsequent survey as required by the vessel's insurers.

See Appendix 7.3 – Marine Survey Office Survey Report MV Sea Breeze III Conducted on 20 February 2023.

3. NARRATIVE

3.1 Great Skellig, also known as Skellig Michael/Sceilg Mhichíl, is a twin-pinnacled crag 6.3 NM to the west of the Iveragh Peninsula in Co. Kerry, Ireland. Its twin island, Little Skellig, is smaller and inaccessible (landing is not permitted). Great Skellig is best known for its Gaelic monastery, founded between the 6th and 8th centuries, and its variety of inhabiting bird species. The monastery can be approached by narrow and steep flights of stone steps which ascend from three landing points, although only one landing point is in commercial use. UNESCO designated Great Skellig a World Heritage Site in 1996.

3.2 Strict criteria are applied to vessel operators who ferry passengers to the island. There is a two and a half hour visitor time limit and since 1994, visitor numbers are restricted to a maximum of 180 people per day. The Office of Public Works (OPW) issues fifteen vessel operator permits via a tender system to carry 12 passengers as part of daily landing tours between mid-May and late September; in 2024 the island opened on 11 May and closed on 1 October. The OPW advises that *"applicants (for an operators permit) will be assessed on issues including the qualifications and experience of the personnel, the quality of the vessel and their approach to excellent standards of safety"*.

3.3 For the first time since 2019, in 2024 a new tender process was opened, through an e-tender scheme. However, the scheme was then closed due to a procedural error and all vessel operators in possession of an existing permit were provided with a 2024 landing permit. The tender process followed in 2024 is considered in further detail in section four below. In 2024, 13 of the 15 vessels departed from Portmagee Marina and two others departed from Ballinskelligs and Derrynane respectively.

3.4 Landing on the concrete landing dock commences at 09.00 hrs each day. During the visitor season the island is home to three resident guides and the guides determine if landing is permitted at the start of each day, based on the local weather conditions. In general, a crewmember off each vessel guides the 12 passengers from the landing dock towards a meeting point with the guide. The crewmember stays on the island for the duration of the visit, and the passenger vessel drifts off the island. On completion of the visit the passenger vessel returns to the landing dock to embark the passengers and crewmember.

3.5 The activities, which the company continued on its incorporation in 2019, were launched in July 2013. The business plan was to provide boat tours to the islands for people who were unable to climb to the rock. At the time of the incident in 2024, according to the individual named as owner on the passenger vessel class P5 certificate, it was the company that owned and operated seven vessels to the islands, with one vessel which held a passenger vessel class P5 certificate (issued by the Department of Transport to the individual named as the owner) assigned a landing permit, MV Sea Breeze III.

3.6 On the morning of 7 July 2024, the Skipper boarded MV Sea Breeze III and carried out his standard pre-departure checks, which included a visual inspection of the bilges. The Skipper observed a small volume of liquid in the bilges, but not to a level which he thought required pumping or caused him concern. There was no written pre-departure inspection checklist to follow. The Crewmember and twelve passengers boarded.

3.7 A passenger list with names and contact details was maintained, however, the Owner advised that it is their/his standard practice for passenger details to be deleted post voyage and therefore a passenger list was unavailable for the purposes of this investigation. A safety brief was carried out and all passengers issued with a buoyancy aid to wear during the voyage. This cannot be verified with any passenger due to the assertion by the Owner that it has deleted all passenger details. Lifejackets are also carried onboard for use in emergencies.

3.8 At around 07.45 hrs on 7 July 2024, Sea Breeze III, departed from Portmagee, bound for Great Skellig. The vessel had two crew and 12 passengers onboard. The weather conditions were favourable with a light breeze of 4 to 6 kts, a low swell and good visibility. The vessel made good progress towards the island. If time allows, the vessel follows a circular route around Great Skellig to allow for sightseeing, however on this occasion the vessel headed directly to the landing dock.

Figure 10: Concrete landing dock Great Skellig (July 2024).

Figure 11: MV Sea Breeze III approaching the concrete landing dock on a previous voyage. Fendering arrangements visible on the port side.

Figure 12: Landing arrangements at Great Skellig on a previous voyage of MV Sea Breeze III.

3.9 The landing dock is not fitted with fenders, but rather each vessel carries its own fenders onboard. The Skipper advised that there was nothing unusual in his port side approach alongside. The weather conditions can sometimes make manoeuvring challenging, but on this occasion, berthing was speedily achieved. The Skipper was very clear that there was no hard impact with the landing dock, and this fact was confirmed by the Crewmember. The absence of a passenger list meant that it was not possible to interview the passengers to confirm this point or to ascertain if any passenger had video footage of the landing.

3.10 It took a few minutes to disembark the 13 persons ashore and thereafter MV Sea Breeze III moved astern from the landing dock. The Skipper advised there was nothing noteworthy with the manoeuvre and again no impact with the landing dock. There is no closed-circuit television (CCTV) in operation at the landing dock to record vessel movements or provide skippers with advance knowledge of the sea/swell conditions at the dock.

3.11 The vessel moved to a position a few hundred metres off the landing dock in the lee of the island where the Skipper planned to drift for the duration of the passengers visit. At approximately 09.10 hrs the engine room bilge alarm sounded. The Skipper inspected the engine compartment and he observed water at the base of the engine, being spun into the air by the action of the flywheels. He made a visual inspection of the engine seacocks, and he was satisfied they were not leaking. The Skipper did not report seeing the presence of exhaust gasses when he opened up the engine compartment or any change in engine noise which would be potentially associated with the exhaust no longer being subject to muffling by the waterlock. He started the engine room and steering compartment bilge pumps from the wheelhouse and telephoned the vessel Owner. They agreed that the vessel would return to Portmagee and that the Owner would rendezvous on passage using another quicker vessel, the MV Skellig Flier.

3.12 The Skipper visually confirmed that the bilge pumps were discharging water from the hull outlet and he set off for Portmagee, being confident that Portmagee could be safely reached. The Skipper did not attempt to return alongside at the landing dock. The Skipper did not make a VHF PAN PAN or MAYDAY call to other vessels in the vicinity or the Coast Guard, or telephone the Coast Guard.

3.13 MV Sea Breeze III proceeded at full speed on a north northeast course towards Portmagee. The engines continued to operate, and no high temperatures were observed. Attempting to deliberately beach the vessel was not an option available to the Skipper due to the distance to a suitable beaching location. The Skipper's attention was concentrated on maintaining the vessel's heading, no further checks were made of the engine compartment or whether the bilge pumps were still discharging water. The Skipper remained in regular telephone contact with the Owner.

3.14 The stern of MV Sea Breeze III gradually became lower in the water and when the Owner reached the vessel at around 09.35 hrs, the vessel was already close to

sinking. The Owner manoeuvred alongside MV Sea Breeze III and from an elevated vantage point, he was able to observe that the engine compartment was almost fully submerged. The Owner instructed the Skipper to transfer across to the MV Skellig Flier. During the transfer process the Owner dropped his mobile telephone into the sea. Within minutes MV Sea Breeze III sank stern first in around 80 m of water, in a position approximately 2.9 NM to the north of Little Skellig Island. The EPRIB was activated at 09.38 hrs as the vessel sank, with hydrostatic release units allowing both the EPRIB and liferaft to float free.

3.15 The Coast Guard attempted to make contact with MV Sea Breeze III on VHF channel 16, but with no response. At 09.57 hrs the Owner confirmed to MRSC Valentia, using the Skipper's mobile telephone, that MV Sea Breeze III had sunk, there were no casualties, and that the EPRIB and liferaft were being recovered. The vessel was not raised so was unavailable for inspection for the purposes of this investigation. An alternative vessel was used to collect the passengers and Crewmember from Great Skellig.

3.16 Post sinking, the Owner submitted incident reports to both the Marine Casualty Investigation Board (MCIB) and OPW. The Owner and Skipper were interviewed by an MSO Marine surveyor post sinking and all vessels operated by the company were inspected. No further action was taken by the MSO.

4. ANALYSIS

Summary

4.1 14 people were onboard a licensed passenger vessel that sank around 30 minutes of disembarking all passengers and one Crewmember. The Skipper was rescued at the last minute by the Owner's arrival at a point midway back to Portmagee. Had the water ingress started earlier while all were onboard, there may have been a very serious outcome. With the added weight, water would have ingressed faster before either the harbour was able to be reached, or, before the Owner could reach the MV Sea Breeze III. It is not possible to provide a definitive cause of the water ingress into the hull, but based on the available evidence, a failure of a skin fitting or associated hose is the most probable cause of the water ingress. However, given that the bilge alarm was activated within minutes of the vessel departing from the landing dock, the close proximity of time between completion of berthing operations and the bilge alarm sounding, means an impact of the hull with the landing dock cannot be conclusively dismissed as a possible source of water ingress.

Water Ingress

4.2 Water ingress refers to water entering into areas of a vessel where it should not be, such as in the engine compartment, bilges, or hull spaces. If the weight of the water inside the vessel becomes greater than the buoyant force, the vessel will sink. In this instance, the engine and steering compartment bilge pumps had insufficient capacity to discharge the water quicker than it flooded the vessel. It is unknown how long the bilge pumps continued to function or whether the automatic bilge pump in the steering compartment, with a maximum stated capacity of up to 63.08 lts per minute, was activated by its float switch. Debris in the bilge may have reduced pumping capacity. Water level rising within the space may have interrupted the electrical supply to the pumps. Additionally, a manufacturer's stated maximum pump capacity is unlikely to be achieved in practice for a variety of reasons. For example, distance of the pump from the battery and wire gauge can lead to a drop in voltage at the pump, which in turn reduces pump capacity and the water temperature used for the manufacturer's tests is at 20° Celsius i.e. above the water temperature at the sinking location.

4.3 The vessel lies in 80 m of water and inspection of the hull to accurately determine the possible means of water ingress is unfeasible. It is therefore only possible to speculate on the means of water ingress and the volume of water flow. Possible causes of the water ingress are considered below. As stated in section 2 above, the maximum theoretical capacity of the bilge pumps located in the engine and steering compartments was 127 lts per minute. Notwithstanding the forward bilge pump, the aft bilge pumping capacity was more than the minimum 90 lts per minute required by the Passenger Boat Regulations.

Through Hull Fittings

4.4 The vessel has a total of nine through hull fittings. The Skipper observed that the two engine cooling water intakes were apparently intact, and the engines did not overheat from when water was first observed in the engine compartment until the time of sinking, indicating the main engines had a sufficient supply of cooling water. A failure of one of the main seacocks is therefore unlikely.

4.5 The Owner advised that the skin fittings on MV Sea Breeze III were all 2 inch (50 cm) in diameter. To estimate how much seawater would flow through a 2 inch hole in the hull of a vessel that is 1 m underwater, it is necessary to apply principles of fluid dynamics. In this case, the primary factors are the hole diameter and the pressure at the depth where the hole is located, as the deeper the hole, the greater the force pushing water through it. The rate of inflow is proportional to the square root of the head of pressure. A 2 inch hole located 1 m underwater (not facing a forward direction) would allow approximately 335 lts of seawater of flow into the hull per minute, if a vessel was proceeding at 10 kts speed. This is only an approximate estimate, as the maximum flow rate would reduce as the vessel sank lower in the water and the water level in the engine compartment rose.

4.6 It is unknown when water first started entering the hull before being first observed at 09.10 hrs, or how long the bilge pump(s) continued to operate for after the Skipper says he started them just after 09.10 hrs. The failure of a 2 inch diameter skin fitting would, based on a flow rate of approximately 335 lts per minute, have permitted sufficient water ingress to sink the vessel even if all three aft bilge pumps were operating at maximum capacity. For example, 335 lts per minute for 28 minutes, equates to around 9,380 lts. If the bilge pumps operated at 127 lts per minute, this still equals a net gain of 6,020 lts.

4.7 The vessel's skin fittings had been replaced or serviced earlier in 2024 prior to the vessel launching and therefore a failure would not be expected. It is possible that if a hose emanating from a skin fitting became detached and the skin fitting was not closed e.g. the deck wash hose, that this would have also resulted in a similar flow of water.

4.8 The Owner reported observing that the engine compartment was almost completely full of water when he reached MV Sea Breeze III. As there is not a watertight bulkhead between the engine and steering compartments, it is logical that both compartments would be filled to a similar height of water. Allowing for the size of the engines and based on the hull dimensions with the observed height of water, there is estimated to be well in excess of 2.2 m^3 of sea water in the two compartments. The significance of this fact is considered below.

Impact Damage

4.9 The weather conditions were fair, and the Skipper was very experienced in berthing alongside the concrete landing dock at Great Skellig. Neither the Skipper

nor Crewmember observed any hard contact between MV Sea Breeze III and the landing dock. Due to the absence of a passenger list, it was not possible to interview the passengers to ascertain their recollections of the berthing operation or obtain any video footage they might have had. No CCTV footage is available of the landings. The Skipper and Crewmember did not hear any unusual sounds or vibrations on passage to the island, making an impact with an underwater obstruction on passage unlikely.

4.10 On the face of it therefore, there is no witness evidence to suggest that the watertight integrity of the hull was compromised through an impact; however, the bilge alarm was activated within minutes of the vessel departing from the landing dock. Whilst this fact could simply be a coincidence, nevertheless the close proximity of time between completion of berthing operations and the bilge alarm sounding, means an impact of the hull with the landing dock cannot be conclusively dismissed as a possible source of water ingress.

Stern Gland

4.11 The vessel has twin propeller shafts, each exiting through a stern gland incorporating a rubber hose. The rubber hose is typically secured in place using clamps; two forward and two aft. The hose adjoins the stuffing box, a gland which prevents leakage of water from the propeller shaft. Proprietary stuffing box hose incorporates five plies because hoses used in stuffing box applications can be submerged, vibrated and routinely twisted in forward and reverse, five plies equates to longer hose life. Good practice is that stuffing box hoses should be pre-emptively replaced approximately every five to seven years or when warranted by visible hose deterioration.

4.12 If the hose between the stuffing box and the shaft tube fails, the flow rate will be a function of the gap between the shaft tube and the propeller shaft, rather than any feature of the stuffing box itself. If, however, the seal/packing itself fails, then the flow rate will be dictated by the gap between the stuffing box body and the propeller shaft. The Merchant Shipping (Passenger Boat) Regulations 2002 do not set any minimum standards for propeller shaft systems i.e. a maximum permissible flow rate per minute should a seal fail.

4.13 The pressure at the stern increases with the vessel's depth in the water due to the weight of the water column. As a result, a large leak will admit more water as the boat sinks deeper. The witness evidence indicates that the stern of MV Sea Breeze III sank deeper in the water. When moving at speed, which MV Sea Breeze III was, the relative speed of water through the stern gland increases because of the pressure differential. At full speed, a leak could take in more water due to increased pressure on the stern. The Cummins 6BTA engine typically has a propeller shaft diameter of 38 mm (1.5-inch) to 50 mm (2-inch).

4.14 If the vessel was fitted with a 50 mm diameter propeller shaft, as the vessel Owner thinks likely, then the typical diameter of the stern gland packing is 16

mm. In the event that the packing completely failed, then the diameter of clearance between the stuffing box nut and the propeller shaft would be the determining factor in the volume of water flow. Assuming clearance of 2 mm between the propeller shaft and stuffing box locking nut or stern tube, with the vessel proceeding at full speed and sinking further by the stern, there was the potential for up to 4 lts of water a minute to enter through the stern tube if either the rubber hose or packing failed, albeit assumptions have to be made to estimate this figure. It is therefore unlikely that a failure of either the hose or stuffing box would have allowed sufficient water ingress to sink the vessel within the 28 minutes of the bilge alarm sounding to the time of sinking.

Exhaust System

4.15 The two Cummins 6BTA engines are fitted with sea water cooling pumps with a published flow rate of 75.7 lts per minute at 2500 RPM. The engines did not overheat on passage from Great Skellig back to Portmagee, indicating both cooling pumps were working. Sea water cools the engines and exits through the Vetus waterlocks and exhaust flaps. The waterlocks are connected to the main engine and exhausts using rubber hoses secured with metal clips. In the event that a hose failed, by means of becoming lose or broken, water would continue to be pumped into the aft compartments at a rate of up to 75.7 lts per minute, rather than overboard through the exhaust. The affected engine would continue to operate. It is unlikely that two exhaust hoses would fail simultaneously.

4.16 The top section of the Vetus waterlock is secured to the bottom section by means of a metal ring. In the event that the two sections became detached, then in much the same way as a lose or broken exhaust hose, exhaust water would be discharged into engine/steering gear compartments at a rate of up to 75.7 lts per minute. The affected engine would continue to operate and again it is unlikely that two waterlocks would simultaneously fail.

4.17 If all three bilge pumps located in the stern compartments were operating, then in theory this would provide a discharge rate of up to 127 lts/minute, potentially sufficient to manage exhaust water ingress from one engine. Water was already at the base of the engines when first observed by the Skipper, who recalled ‘seeing spray from the fly wheel’, however, crucially no exhaust gases were observed. Gases would be expected in the event that cooling water and exhaust gases were not being discharged overboard. In the minutes prior to the bilge alarm sounding, 12 passengers and one Crewmember had been disembarked ashore. In the absence of a passenger list, it is not possible to calculate the gender and age of the passengers i.e. proportion of adults and children. If 75 kilos per person is taken as an average weight, then the vessel had been lightened by approximately 975 kilogram (kg). This estimate could be higher, or more likely lower, depending on the presence of children. A lower estimate of 700 kg is therefore reasonable to account for children.

4.18 In a scenario whereby exhaust water was being pumped into the hull, the maximum volume of water ingress, even if all the aft bilge pumps failed shortly after being activated, would be around 2,200 lts. Albeit this figure could be slightly higher, as water would have entered the vessel prior to the bilge alarm sounding. The vessel had been lightened by disembarkation of 13 persons prior to activation of the bilge alarm, a reduction of between 700 kg to 975 kg or greater of weight, no exhaust gases were observed in the engine compartment and a weight increase associated with 2200 lts would be insufficient to sink the vessel. A failure of an exhaust hose or waterlock is therefore unlikely to be the cause of the sinking based on the available evidence.

Water Ingress Summary

4.19 The failure of a 2 inch diameter skin fitting or hose would have resulted in sufficient ingress of water to sink the vessel within the 28 minutes which elapsed from the bilge alarm activating to the loss of the vessel

4.20 There is no witness evidence from the crew to suggest an impact with the landing dock causing a breech in the hull or impact with a partially submerged object on passage. No CCTV footage or passenger evidence was available to independently verify the witness evidence. However, the bilge alarm was activated within minutes of the vessel departing from the landing dock. Whilst this fact could simply be a coincidence, nevertheless the close proximity of time between completion of berthing operations and the bilge alarm sounding, means an impact of the hull with the landing dock cannot be conclusively dismissed as a possible source of water ingress.

4.21 Another possible cause of the water ingress was exhaust water entering the hull by means of a detached or parted exhaust hose or waterlock. The engines were running with water being discharged through the exhaust system, causing dynamic loading of the exhaust system. Based on calculations of the cooling water pump flow rates and witness evidence, the accumulation of cooling water is unlikely to have been sufficient to sink the vessel in 28 minutes.

4.22 In the absence of raising the hull for a detailed inspection, it is not possible to be definitive on the source of the water ingress.

Use of Very High Frequency

4.23 After hearing the audible bilge alarm and observing water ingress in the engine compartment, the Skipper telephoned the vessel Owner using his mobile phone. The Owner was the only other individual aware of the emergency situation. In accordance with the Merchant Shipping (Passenger Boat) Regulations 2002, the vessel was fitted with a VHF, hand-held VHF and EPIRB. The Skipper held a Radio Operators Certificate in accordance with Merchant Shipping (Passenger Boat Manning) Regulations 2005.

4.24 The Skipper was clearly concerned about his safety and the safety of the vessel. In the circumstances the Skipper should have issued an Urgency Announcement using a DSC All Ships Urgency Call, nominating a working channel. In addition, he should have used VHF channel 16 to make an Urgency Call using the PAN PAN message format. Such action would have made other passenger vessels on passage to the island capable of potentially offering assistance. In addition, a PAN PAN would have alerted the Coast Guard. An upgrade to a MAYDAY distress call was appropriate as the situation escalated i.e. the vessel sank lower in the water. The Maritime Radio Operating procedures for small craft[4] as updated in March 2023, set out the correct procedure for distress calls. The procedure for responding to distress calls is set out in Marine Notice No. 77 of 2023.[5]

4.25 The Skipper was rescued from MV Sea Breeze III with only minutes to spare. In slightly different circumstances, it is possible that the Skipper could have entered the water. Multiple vessels converging on his position would certainly have reduced the risk to him during this time and improved his chances of survival had he entered the water.

4.26 14 people were onboard a vessel that sank within 28 minutes of disembarking 13 of them. The 14th person was rescued at the last minute by the Owner's arrival at a point midway back to Portmagee. Had the water ingress started earlier while all were onboard there might have been a very serious outcome. With the added weight, water would have ingressed faster before either the harbour was able to be reached, or, before the Owner could reach MV Sea Breeze III. While the Skipper may well have acted differently if 14 persons were onboard, the importance of the correct use of VHF in emergency situations cannot be overstated.

Pre-departure checklist

4.27 Skippers and crews of small vessels are accustomed to making pre-departure checks prior to leaving harbour or port. Often these are ad-hoc and based upon the experience of the individual. On larger merchant vessels, the use of pre-departure checklists helps reduce the possibility of items of equipment being overlooked or procedures not followed. There is merit in each small vessel operator developing a vessel specific pre-departure checklist, this is of particular importance if carrying passengers, many of which may be young children. The checklist need not be onerous to follow, indeed, a one page laminated A4 sheet is more likely to be used and therefore effective. A checklist being followed prior to departure of the MV Sea Breeze III departing from Portmagee Marina may potentially have resulted in an obvious defect being identified, if such a defect was capable of observation.

4. Maritime Radio Operating procedures for small craft
5. Marine Notice No. 77 of 2023

Compliance with Passenger Boat licence

4.28 At the time of the sinking, MV Sea Breeze III was in compliance with the statutory requirements as set out in the Merchant Shipping (Passenger Boat) Regulations 2002. The vessel had been inspected by the MSO in 2023 and issued with a Passenger Boat licence for the full term of two years. The vessel had been surveyed in 2024 by a surveyor for insurance purposes. All defects identified had apparently been rectified and there is no evidence to suggest that the vessel was anything other than seaworthy and fit for carrying passengers. The vessel had a bilge pumping capacity above the minimum statutory requirements. The Skipper and Crewmember were experienced and held the correct certificates for competency as required for the voyage.

Office of Public Works

4.29 On the 11 December 2024, the OPW advertised via the e-tenders system a public competition for boat permits to land passengers at Great Skellig / Sceilg Mhichíl, Co. Kerry. This involved applicants submitting significant documentation as part of the process. Full details of requirements may be viewed on etenders[6]. Documentation required to be submitted for this tender process was as follows:

- Statutory declarations re. financial standing/compliance and Bona Fides.
- Signed Health and Safety Declaration
- Signed Marine Safety Declaration.
- Valid P5 Passenger Licence.
- Skipper and Alternate Skipper requested to supply full details of certification (Appendix 2 of Request for Tenders) including: Passenger Boat Commercial Endorsement appropriate to P5 passenger boat; STCW Sea Survival Course Certificate; Medical fitness certification; Radio Operators Certificate; as well as evidence of experience.
- Deck hands requested to supply at a minimum a Medical Fitness Certificate.
- All applicants were required to sign and submit the Permit Terms and Conditions for 2025 season (this is a requirement each season).

4.30 Post the sinking of MV Sea Breeze III, in January 2025 a meeting was held between the OPW and the MSO to discuss passengers wearing lifejackets. The OPW confirmed *"that the advice of the MSO at that meeting, was that the wearing of a life-jackets while disembarking could be dangerous as they are bulky and the wearer has restricted visibility whilst wearing the jacket. MSO policy is that lifejackets are not routinely worn by passengers on P5 licenced boats, but they are deployed in the case of an emergency. Life-jackets will not sustain repeated wear and tear and the functionality may be compromised as a result."* Following

6. OPW etenders

this advice from the MSO, the OPW did not include the mandatory wearing of lifejackets in the Permit Terms and Conditions (the carriage of lifejackets is mandatory on licenced passenger boats, though the mandatory wearing of lifejackets is not a requirement, as risks associated with falling overboard are mitigated by the provision of guardrails). No changes to the tender process were made.

5. CONCLUSIONS

5.1 MV Sea Breeze III sank at around 09.38 hrs on 7 July 2024, in a position approximately 2.9 NM to the north of Little Skellig Island. Around 28 minutes elapsed from the bilge alarm sounding to the loss of the vessel. The Skipper was rescued by another vessel minutes prior to the sinking.

5.2 It is not possible to provide a definitive cause of the water ingress into the hull, however, based on the available evidence, a failure of a skin fitting or associated hose is the most probable cause of the water ingress. However, given that the bilge alarm was activated within minutes of the vessel departing from the landing dock, the close proximity of time between completion of berthing operations and the bilge alarm sounding, means an impact of the hull with the landing dock cannot be conclusively dismissed as a possible source of water ingress.

5.3 The vessel had been carrying 14 persons on passage to Great Skellig earlier that morning. If the emergency situation had developed during this passage, the outcome had the potential for far more serious consequences.

5.4 The correct use of VHF in emergency situations is essential. The use of vessel specific pre-departure checklists on small vessels can help ensure all items of equipment are thoroughly checked prior to departure.

6. SAFETY RECOMMENDATIONS

Recommendations to the Owner and Passenger Boat Licence Holder of MV Sea Breeze III

6.1 The Owner and Licence Holder of MV Sea Breeze III should:

6.1.1 Develop vessel specific pre-departure checklists and provide training in their correct use to all skippers and crew.

6.1.2 Provide refresher training to all skippers and crew in the correct use of Very High Frequency and in an emergency.

6.1.3 Complete a review of shoreside procedures in the event of an emergency including having effective and suitable contact arrangements.

6.1.4 Ensure that full passenger contact details are obtained prior to departure on offshore voyages.

6.1.5 Ensure that full passenger contact details are held after an incident.

6.1.6 Arrange independent and detailed surveys of all connected vessels.

Recommendations to the Minister for Transport

6.2 The Minister for Transport should:

6.2.1 Issue a Marine Notice reiterating to owners, operators, skippers of the importance of being aware of and following correct Very High Frequency procedures in emergency situations as set out in Marine Notices No. 61 of 2020[7] and No. 77 of 2023.

6.2.2 Consider whether providing guidance in the form of a safe management code (similar to that which exists for merchant vessels) to owners and skippers to improve the safety, maintenance and the operation of their vessels, would significantly assist owners and skippers in complying with their statutory safety obligations. The guidance to include advice on the use of checklists in routine inspections.

6.2.3 Consider legislation requiring the electronic submission of passenger and crew lists by sightseeing vessel operators to the Coast Guard, prior to departure on offshore voyages.

7. M Notice 61 of 2020

Recommendations to the Minister with responsibility for the Office of Public Works

6.3 The Minster with responsibility for of the Office of Public Works should consider installation of a solar powered closed-circuit television system to monitor the landing dock on Great Skellig. The camera to have a publicly accessible live feed so sea conditions can be reviewed in advance of any approach to the landing dock and vessel movements recorded.

7. APPENDICES

Appendix 7.1 Passenger Boat Licence of a Class P5 Passenger Boat (Page 1)

MSO 1001.1 (FORM) Passenger Boat Report of Inspection (Rev 0 06)

0034758

PASSENGER BOAT LICENCE OF A CLASS P5 PASSENGER BOAT

ISSUED BY THE DEPARTMENT OF TRANSPORT

(To be supplemented by Record of Equipment)

NAME OF BOAT:	Sea Breeze III	LICENCE NO:	907
NAME OF OWNER:	[redacted]	CLASS:	P5
ADDRESS OF OWNER:	[redacted]		
PERSON(S) IN CHARGE	The passenger boat must be operated by persons qualified in accordance with the Merchant Shipping (Passenger Boat Manning) Regulations 2005 (S.I. No. 649 of 2005) and relevant Marine Notices.		
PLYING LIMITS:	20 miles to sea from Portmagee or Knightstown		

MAXIMUM NO. PASSENGERS:	12	MINIMUM NO CREW:	1	MAXIMUM NO PERSONS:	14

THIS IS TO CERTIFY that the provisions of the Merchant Shipping Acts relating to the inspection of passenger boats have been complied with, and that this boat is fit to ply within the limits and with the number of passengers and subject to the conditions and restrictions stated overleaf.

DATE OF EXPIRY: 19/02/25

SIGNED: [redacted]

For the Minister fo
A person authorise

[Type text]

Appendix 7.1 Passenger Boat Licence of a Class P5 Passenger Boat (Page 2)

MSO 1001.1 (FORM) Passenger Boat Report of Inspection (Rev 1.6)

Conditions and Restrictions:

NAME OF BOAT:	Sea Breeze III	LICENCE NO	907

GENERAL

1. Passenger boat must only operate in favourable weather conditions. "favourable weather" means weather when the visibility is good and when the combined effects of wind, sea and swell on the passenger boat are never greater than those which would cause moderate rolling or pitching or result in the shipping of green seas on the weather deck or, in the case of an open boat, over the gunwhale;
2. Without prejudice to the Collision Regulations, every passenger boat shall be operated in a manner that takes account of other persons involved in waterborne activities, or persons who might otherwise be adversely affected by the operation of any passenger boat.
3. A person shall not operate or be in charge or attempt to operate or be in charge of a passenger boat while that person is under the influence of an intoxicant to such an extent as to be incapable of safely operating and controlling the passenger boat.
4. Every passenger boat, whilst holding a passenger boat licence, shall not be used for any other activity or purpose, which could affect or alter the conditions upon which the licence was granted, during the period of validity of the licence.
5. Every passenger boat shall be maintained in a good structural and mechanical condition and the fittings and equipment specified in the licence shall be kept in good order and be available for immediate use at all times.
6. The boat must not be used to tow another boat or craft except in an emergency.
7. This licence does not relieve the licensee of the obligation to comply with the instructions and statutory requirements of Local Authorities and Harbour Authorities.
8. Safety instructions concerning signals, life-saving appliances, means of escape, etc. must be announced to the passengers before the commencement of any voyage.
9. No loose containers of any oil or flammable product shall be stored in the machinery space; loose containers of liquid having a flash point of 60 degrees centigrade or less, shall not be carried in any location on any such boat.
10. Lifejackets to be stowed in a readily accessible location for use in an emergency.
11. In the case of open cockpit vessels with marine outboard engines, no more than two approved portable fuel tanks may be carried and the transfer of fuel from a container to an approved portable fuel tank shall not be permitted on board.
12. In the case of class P2 open vessels, every person shall wear the lifejacket or personal flotation device provided at all times when on board..
13. In the case of class P4 every person shall wear the lifejacket or personal flotation device provided at all times when on board.
14. Anchor to be stored in such a manner that it is readily available at all times.
15. In the case of class P6 when specified by the Minister, the master shall ensure that all persons on board are suitably attired and are fully briefed on emergency procedures including the procedure when a person falls overboard;
16. All persons on class P6 used for the carriage of divers shall wear wet or dry suits together with an approved lifejacket or approved personal flotation device at all times when in the vessel.
17. In the case of class P6 passenger boats all persons shall wear an approved lifejacket or an approved buoyancy aid at all times when on deck at sea in such a vessel. All persons on board shall use safety lines when on deck at sea in cases where the bulwarks or guard rails do not comply with those requirements applicable to passenger boats of 7(1)(g). It shall be the responsibility of the master to ensure that all personnel are suitably attired and fully briefed in relation to any emergency procedures;
18. The boat is permitted to operate in daylight only.

ADDITIONAL CONDITIONS AND RESTRICTIONS IMPOSED BY AUTHORISED OFFICER (IF ANY)

19. None
20.
21.
22.

[Type text]

Appendix 7.1 Passenger Boat Licence of a Class P5 Passenger Boat (Page 3)

MSO 1001.1 (FORM) Passenger Boat Report of Inspection (Rev 1.6)

RECORD OF EQUIPMENT OF A CLASS P5 PASSENGER BOAT

ISSUED BY THE DEPARTMENT OF TRANSPORT

NAME OF BOAT:	Sea Breeze III	LICENCE NO:	907

Buoyant apparatus to support Persons				Compass	☒
1 Liferaft to support 15 Persons				Emerg. Steering	☒
Lifejackets	14	Lifebuoys	2	Anchor & Cable	☒
Fire Pump(s)	1	Portable Fire Extinguisher(s)	4	Boat Hook	☒
Hose(s)	1	Fire Bucket(s)	☐	Painter	☒
Nozzle(s)	1	Bilge Pump(s)		EPIRB	☒
Pyrotechnics		Hand	2	First Aid Kit	☒
Rockets	4	Power	2	VHF Radio	☒
Hand	4	Additional Equipment		Waterproof Torch	☒
Smoke	2			Tool Kit	☒
Fire Extinguisher in Engine Space	☒			Radio Receiver	☒
Means of Making Sound Signals	☒			Radar Reflector	☒
Navigation Lights	☒			Bucket and Lanyard	☒
Charts of Operational Area	☒			Orange Flag	☐
Bilge Alarm	☒				
Personal Flotation Devices (PFD) (not including in Lifejackets listed above)					

DATE OF EXPIRY: 19/02/25

SIGNED: [redacted]

For the Minister fo
A person authorise

DATE OF ISSUE: 19/07/23

MSO IRELAND

[Type text]

Appendix 7.1 Passenger Boat Licence of a Class P5 Passenger Boat (Page 4)

0004817

MSO 1001.1 (FORM) Passenger Boat Report of Inspection (Rev 1.6)

NOTE:

Please ensure that the two Passenger Boat Licence Discs below are clearly displayed on either side of your boat in the plastic pockets provided.

0004817

Department of Transport

PASSENGER BOAT LICENCE DISC

LICENCE NO: **907**

CLASS OF BOAT: **P5**

NAME OF BOAT: **Sea Breeze III**

DATE OF EXPIRY: **19/02/25**

See Passenger Boat Licence for full details of operating Conditions and Restrictions

[Type text]

0004817

Department of Transport

PASSENGER BOAT LICENCE DISC

LICENCE NO: 907

CLASS OF BOAT: P5

NAME OF BOAT: Sea Breeze III

DATE OF EXPIRY: 19/02/25

See Passenger Boat Licence for full details of operating Conditions and Restrictions

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 1)

[redacted]
Boat Surveyor and Consultant
[redacted]

Condition report on Aquastar 38 'Sea Breeze III'

For [redacted]

Completed on 05/03/24 (updated 23/05/24)

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 2)

1. Instructions

1.1 As instructed by [redacted] I have now completed an inspection and report on the above motorboat.

2. Summary

2.1 The boat was inspected on hard standing at the owners yard in Port Magee on 05/03/24. This inspection was to ascertain the general condition of the vessel for insurance purposes. The boat is in fair condition and holds a current Passenger boat licence but there are some items that require attention. I have listed priority recommendations, which should be considered straight away and advisories, which are not urgent and may only be cosmetic in nature.

2.2 Repairs have now been carried out with updates in blue under the priority recommendations and advisories below.

3. Principal particulars

Boat type	Aquastar 38
Name	Sea Breeze III
Yard no.	Not sighted
Builder	Aquastar
Year	Believed 1995
Length	11.58m approx.
Beam	3.59m approx.
Draft	1.2m approx.
Engines	Cummins 6BTA (believed 335hp)
Serial number	Not sighted
Registered no.	n/a

4. Construction

4.1 This motor boat is constructed by way of two principal mouldings. The hull moulding has a raked stem and includes a radiused transom and keel. The deck moulding includes the forward coachroof and ring deck. The hull is stiffened internally with fibreglass stiffeners and plywood bulkheads.

4.2 The boat is subdivided by plywood bulkheads creating the accommodation, engine and tank spaces.

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 3)

5. Accommodation

5.1 The wheelhouse has a helm console to port and seating to starboard. The lower level forward has four bunks in the bow area. There is a toilet compartment to port with small galley opposite.

5.2 The interior finish is in fair condition (Fig. 1).

6. Underwater hull

6.1 The surface is antifouled and the paint finish is well adhered to the hull. The hull is in sound condition with no evidence of major impact damage. There is a small repaired section on the port side around the toilet through hull fittings and there is a crack showing (Fig. 2).

6.2 The three blade propellers are secure and in good condition. The propeller nuts are secure and fitted with locking pins. The outrigger and P brackets are secure. The cutlass bearings on the port side and the forward bearing on the starboard side are showing signs of the rubber degrading (Fig. 3). The aft starboard fitting has been replaced recently but there is some play in it. The shafts are turning freely with no evidence of bending. There are rope cutters fitted. The spade rudders are secure.

6.3 There are five through hull fittings to starboard for the manual fire pump intake, the engine intake, the speed log and two blanked fittings in the engine space. There are four through hull fittings to port for the engine intake, deck washdown pump, toilet intake and toilet discharge. There are transducers fitted to port and starboard. The fittings are secure. The trim tabs aft are secure.

6.4 There are anodes fitted on the hull to port and starboard aft, on the trim tabs, the shafts and on the rudder. The anodes are secure and in serviceable condition.

6.5 The moisture levels on the hull were tested with a Sovereign Quantum Marine moisture meter. The levels were averaging around 18% (WME). There was no evidence of significant blistering or surface defects on the hull surface and no antifouling was cleaned back for further inspection.

7. Topsides

7.1 The topsides are finished with a painted surface and are in sound condition. The rubbing strakes are secure. The through hull fittings are secure. The engine exhausts are secure on the transom.

7.2 There is no boarding ladder fitted.

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 4)

8. Deck, superstructure and cockpit

8.1 The deck and superstructure are finished with a painted surface with non-slip on the working deck areas. The cockpit is self-draining through scuppers.

8.2 The hatches and windows are aluminium framed and secure. The windows were not water tested.

8.3 The fixtures and fastenings are securely fitted. The pulpit extends aft to the cockpit and is secure. There are adequate grab rails fitted. The deck fillers are secure. The bow roller is secure. The anchor line is fed back to a capstan in the cockpit. The mooring cleats are secure.

8.4 There are port, starboard, all round and steaming lights fitted.

8.5 There is an old gas system on board but this is no longer in use and is unsuitable as is.

8.6 There is a manual bilge pump to port in the cockpit but there is no handle attached and the pump is not working. There are two pumps fitted in the aft compartment. One pump is working but has no handle attached. The other pump is not working and leaking back to the bilge.

8.7 There is access to the transom space aft through a deck hatch in the cockpit sole. The steering gear is secure. The rudder tube, shaft and arm are secure. There is a square top on the shaft for an emergency tiller. The hydraulic steering unit is secure with no evidence of leaking. There are two electric bilge pumps fitted in the aft compartment. The submersible pump with float switch is working. The bulkhead mounted pump is not working.

8.8 The stainless steel diesel tanks are secure in the tank space forward of the engines. The filler and vent pipes are secure where sighted. There are shut off valves fitted on the fuel lines. There is a manual bilge pump in the compartment but with no handle. The pump was not working. There is a through hull fitting in the compartment that is no longer in use. The fitting is capped externally. The handle is missing. There is some delamination and cracking of the fibreglass on the forward bulkhead.

9. Engine space

9.1 The engines are 6 cylinder diesels and are flexibly mounted and rigidly coupled with reverse gear gearboxes. The engines are in good external condition with no evidence of major hose or gasket failure. There is some oil in the bilge. These are

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 5)

reported to have been reconditioned in 2022. The engines were not run or opened for inspection.

- The hoses and clips are secure and in good condition where sighted.
- The stern gland and stern tube are secure and accessed in the aft compartment. There are remote greasers fitted.
- The raw water inlet valves and through hull fittings are secure but the valves are stiff. The weed traps are secure.
- The fuel pipes are secure on the port engine but the pipe from the filter to the engine is missing on the starboard engine. There are shut off valves at the filters. The water separator filters are secure in the engine space.
- The exhaust hoses are secure where sighted and fitted through waterlocks aft. The transom fittings are secure.
- The engine space is fitted with sound deadening insulation.
- The water pumps are secure. The impellers were not inspected.
- The drive belts are secure.
- The engine mounts and beds are secure.

9.2 There is an electric bilge pump fitted in the engine compartment which is working. There is a manual pump fitted but this is not working.

9.3 The hydraulic system has been disconnected.

9.4 There are two through hull fittings to starboard that are no longer in use and are blanked off with closed valves. There is a deck wash pump and through hull fitting to port. The valve on the seacock is stiff.

10. Electrics

10.1 Power is provided by the engine alternator to four 12 volt batteries located under the seat aft to starboard in the wheelhouse. The batteries are secured in position and the terminals are covered by a board over. There is adequate ventilation. The main switches for the batteries are located beside the battery box.

10.2 The main electrical panel is beside the helm console with fuses fitted.

10.3 There is no shore power system fitted. There is an inverter behind the galley with separate main switch.

10.4 A limited visual inspection only of electrics was carried out as part of this condition survey and bonding and grounding were not fully examined or tested.

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 6)

11. Forward cabins

11.1 The berth, furniture and soleboards are secure generally. The ceilings, linings and upholstery are in fair condition.

11.2 The forward bulkhead is secure. The forward opening deck hatch is secure.

11.3 The toilet intake and discharge fittings are accessed in the bilge under the wheelhouse. The toilet is secure and is fitted with a manual pump. There is an old gas cooker in the galley opposite which is no longer in use.

11.4 There is a manual bilge pump fitted in the toilet compartment forward. The pump is working and discharges to port.

12. Wheelhouse

12.1 The soleboards and bearers, seats and furniture are secure and in fair condition. The windows are secure but not water tested.

12.2 The helm console is to port. The wheel and throttle controls are secure and working. The engine instrument panels include tachometers, oil pressure gauges, temperature gauges, and voltmeters. Instruments include steering compass, auto pilot, depth sounders, chart plotters, radar and VHF radios.

12.3 The through hull fitting for the fire pump intake is showing some corrosion at the upstand pipe and the valve is not moving (Fig. 4). The toilet intake and discharge valves are showing some corrosion and the valves are not moving (Fig. 5).

12.4 The two port side longitudinal stiffeners are cracked. There is also cracking on the internal hull laminate (Fig. 6-8).

13. Priority recommendations

13.1 Fit a means of reboarding that is deployable from the water.

13.2 Service the manual bilge pumps ensuring they are all operating and ensure there is a handle located in a fixed position near the pumps. All pumps now working satisfactorily.

13.3 Ensure all through hull fittings are secure with freely operating valves. The fire pump intake pipe, seacock and through hull fitting should be replaced. The toilet seacocks should be replaced. All seacocks serviced/replaced and all tested and working.

13.4 Refit the fuel line on the starboard engine. This has been fitted.

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 7)

13.5 The cracking in the hull under the wheelhouse should be cleaned back to sound material and reinforced. The stiffeners should be cut out and rebuilt where cracked. The crack noted externally in that area should be cleaned back and repaired. The hull has been repaired and extra stiffeners have now been fitted (Fig. 9, 10)

14. Advisories

14.1 Replace the cutlass bearings.

14.2 Remove all underwater through hull fittings that are no longer in use and carry out local repairs to the hull in those areas. The large transducers have been removed and the hull repaired (Fig. 11).

14.3 Clean out the bilges in order to monitor any leaks. Bilges have been cleaned and dried out to facilitate repair work.

14.4 Clean back and re-fibreglass the forward bulkhead in the tank space. This has been repaired.

15. Safety equipment

15.1 Safety gear was not inspected as part of this condition survey. The boat has a current and valid passenger boat licence and is in compliance with the safety equipment requirements.

16. Notes

16.1 The details of this report apply at the time of survey only and cannot be depended upon to remain in the condition stated. The report is for the sole use of the party named in 1.1 above.

16.2 Every effort has been made to provide reliable information but certain areas of the vessel are not accessible and the undersigned will not hold himself responsible for omissions in survey or latent defects.

16.3 Some areas of the interior are not accessible. The underwater though hull fittings were inspected but not all topside hull fittings were accessed.

16.4 Documentation regarding certification, registering and building were not checked.

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 8)

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 9)


Fig. 1


Fig. 2


Fig. 3


Fig. 4


Fig. 5


Fig. 6

Appendix 7.2 Survey Report MV Sea Breeze III Dated 23 May 2024 (page 10)

Fig. 7

Fig. 8

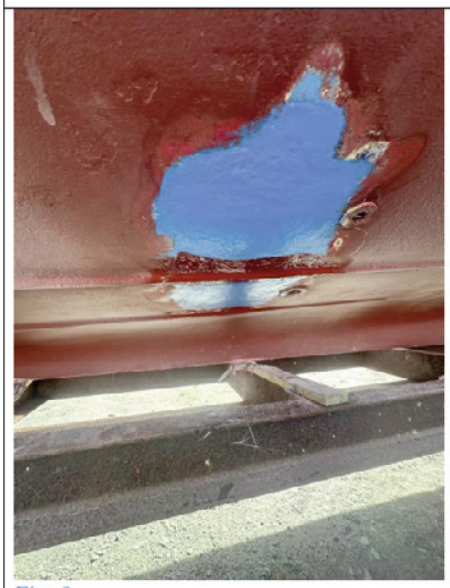

Fig. 9

Fig. 10

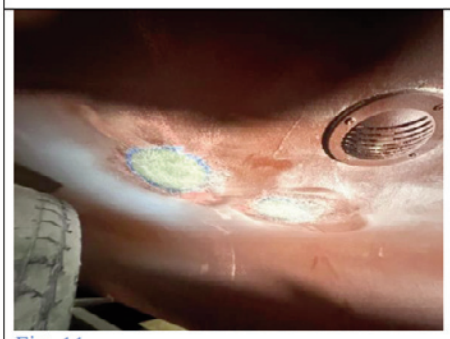

Fig. 11

Appendix 7.3 Marine Survey Office Survey Report MV Sea Breeze III Conducted on 20 February 2023 (page 1)

(v0.2)

Dept. of Transport Marine Survey Office Leeson Lane Dublin 2		Phone: +353 (0)1 6783400 Email: FirstNameLastName@transport.gov.ie Web: www.gov.ie/transport

Report of Survey/ Inspection

TMS No:

Name of Vessel:	Sea Breeze III	ON/IMO:	
Type of Vessel:	P5 Passenger Boat	Port of Registry:	{select port of registry}
Date of Survey:	20/02/2023	Place of Inspection:	Portmagee
Surveyor:	[redacted]	Activity:	Passenger Boat Licence
Office:	Cork	Deficiencies:	No

Hull Modifications	☐	Exemptions / Equivalencies	☐

Inspection Operations

(Please tick the relevant areas inspected)

Hull Out of Water Survey	☐	Sea Valves & Skin Fitting	☐	Internal Void Space & Ballast Tank(s) Opened & Inspected	☐
Decks	☐	Steering / Engine Room	☐	Cargo Hold(s) / Tank(s)	☐
Accommodation	☐	Passenger Spaces	☐	Propeller Shaft & Rudder Removal	☐
Shell Plating U/T Inspection	☐	Safety Equipment	☐	Emergency Steering	☐
Sea Trials & Crew Drills	☐	Navigational Equipment	☐	MLC	☐
Radio Equipment	☐				
Other:					

Comments

Hull examined externally, "P" Brackets shaft line and rudders inspected, exhaust flaps examined.

Starboard propeller shaft pulled back for inspection. In good condition

Signature

Appendix 7.3 Marine Survey Office Survey Report MV Sea Breeze III Conducted on 20 February 2023 (page 2)

SUR 2500 Rev 2.1 (05/19)

Dept. of Transport
Marine Survey Office
Leeson Lane
Dublin 2

Phone: +353 (0)1 6783400
Email: FirstNameLastName@transport.gov.ie
Web: www.gov.ie/transport

Deficiencies

Item No.	Nature of Deficiency	Legislation Reference (if detained)	Action Taken

00	No Action Taken	18	ISM Non Conformities: rectify before departure
10	Deficiency Rectified	19	ISM Non-Conformities: rectify within 3 months
12	All Deficiencies Rectified	30	Grounds for Detention
15	Rectify Deficiency at Next Port	35	Ship allowed to sail after detention
16	Rectify Deficiency within 14 days	70	Classification Society informed
17	Master instructed to rectify deficiency before departure	99	Other (Specify in Clear Text)

.

This report must be retained on board for a period of two years and must be available for consultation by a Department of Transport, Tourism & Sport Surveyor at all times. This inspection is based on random samples and therefore deficiencies may exist which may not have been identified.

Appendix 7.3 Marine Survey Office Survey Report MV Sea Breeze III Conducted on 20 February 2023 (page 3)

SUR 2500 Rev 2.1 (05/19)

Dept. of Transport
Marine Survey Office
Leeson Lane
Dublin 2

Phone: +353 (0)1 6783400
Email: FirstNameLastName@transport.gov.ie
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Deficiencies

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Appendix 7.3 Marine Survey Office Survey Report MV Sea Breeze III Conducted on 20 February 2023 (page 4)

SUR 2500 Rev 2.1 (05/19)

Dept. of Transport
Marine Survey Office
Leeson Lane
Dublin 2

Phone: +353 (0)1 6783400
Email: FirstNameLastName@transport.gov.ie
Web: www.gov.ie/transport

		Legislation Reference (if detained)	Action Taken
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This report must be retained on board for a period of two years and must be available for consultation by a Department of Transport, Tourism & Sport Surveyor at all times. This inspection is based on random samples and therefore deficiencies may exist which may not have been identified.

SECTION 36 PROCESS

Section 36 of the Merchant Shipping (Investigation of Marine Casualties) Act, 2000

It is a requirement under Section 36 that:

(1) Before publishing a report, the Board shall send a draft of the report or sections of the draft report to any person who, in its opinion, is likely to be adversely affected by the publishing of the report or sections or, if that person be deceased, then such person as appears to the Board best to represent that person's interest.

(2) A person to whom the Board sends a draft in accordance with subsection (1) may, within a period of 28 days commencing on the date on which the draft is sent to the person, or such further period not exceeding 28 days, as the Board in its absolute discretion thinks fit, submit to the Board in writing his or her observations on the draft.

(3) A person to whom a draft has been sent in accordance with subsection (1) may apply to the Board for an extension, in accordance with subsection (2), of the period in which to submit his or her observations on the draft.

(4) Observations submitted to the Board in accordance with subsection (2) shall be included in an appendix to the published report, unless the person submitting the observations requests in writing that the observations be not published.

(5) Where observations are submitted to the Board in accordance with subsection (2), the Board may, at its discretion -

(a) alter the draft before publication or decide not to do so, or

(b) include in the published report such comments on the observations as it thinks fit.

The Board reviews and considers all observations received whether published or not published in the final report. When the Board considers an observation requires amendments to the report, those amendments are made. When the Board is satisfied that the report has adequately addressed the issue in the observation, then no amendment is made to the report. The Board may also make comments on observations in the report.

Response(s) received following circulation of the draft report (excluding those where the Board has agreed to a request not to publish) are included in the following section.

The Board has noted the contents of all observations, and amendments have been made to the report where required.

8. MSA 2000 – SECTION 36 OBSERVATIONS RECEIVED

No correspondence was received on the draft of this report.

Leeson Lane, Dublin 2.
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www.mcib.ie