



**RULING OF THE MARITIME DISCIPLINARY COURT OF THE NETHERLANDS OF  
27 MARCH 2026 (NO. 1 OF 2026) IN THE CASE 2025.V6– AMADEUS GOLD**

As petitioned by:

the Minister of Infrastructure and Water Management  
in The Hague,

**petitioner,**

authorised representative: a senior inspector Human Environment and  
Transport Inspectorate (ILT)/Shipping in Zwijndrecht

versus

P.R. D.,

**the person concerned.**

**1. The course of the proceedings**

On 09 September 2025, the Disciplinary Court received a written request with (film) annexes for disciplinary treatment from a senior inspector from Human Environment and Transport Inspectorate (ILT), aforementioned (hereinafter the inspector) petitioning for a disciplinary hearing of an objection against the person concerned as captain of the Amadeus Gold vessel sailing under the Dutch flag.

The Disciplinary Court has notified the person concerned of the petition (enclosing a copy of the petition with annexes, as well a video file), and informed the person concerned of the right to submit a statement of defence.

A statement of defence was received from the person concerned on 02 October 2025.



The presiding judge stipulated that the hearing of the case will be held at 14.00 hours on 9 February 2026 at the courtroom of the Disciplinary Court in Amsterdam.

The court hearing was held on 9 February 2026. Appearing on behalf of the petitioner was the inspector.

The person concerned attended the hearing via an online video link from Curaçao.

## **2. The case in brief**

The case concerns the grounding that took place at the end of 2024 involving the Amadeus Gold vessel. According to the inspector, this was due to poor seamanship. According to the inspector, the person concerned failed to ensure that both the crew and he himself were sufficiently familiarized, that he did not have all the required detailed charts on board, he navigated solely using a coastal chart, determined the course based only on leading lights, and failed to request a pilot. Based on the established elements of the objection, the Disciplinary Court concludes that the inspector's complaint is well-founded. The court sanction is to suspend the navigation licence of the person concerned, partially conditionally.

## **3. Grounds**

The petition for a disciplinary hearing was filed in response to the accident described below.

On 6 December 2024, the Amadeus Gold departed from Rotterdam with a cargo of steel plates, destination Odense and Rostock. The even-keel draft at that time was 3.90 metres. The winter draft was 4.06 metres. On the night of Sunday 8 December 2024 to Monday 9 December 2024, the Amadeus Gold was close to its first destination, the port of Odense in Denmark. There was



no pilot on board, and the person concerned was alone in the wheelhouse. In the Odense Fjord, the person concerned became disoriented and ran aground outside the fairway on 9 December 2024 at 01.30 hours LT. The ECDIS played a role in this. Part of the cargo had to be unloaded in order to refloat the vessel.

The Amadeus Gold (IMO number 9479565) is a Dutch cargo vessel (a low air draft coaster). De Bock Maritiem B.V. is the ship manager of the vessel (hereinafter also referred to as the “shipowner,” as used by the inspector in the petition and by the person concerned in his statements). Built in 2010, the vessel has a length of 87.50 metres, a width of 11.30 metres, and a gross tonnage of 1767. There were six crew members on board at the time of the incident.

#### **4. The inspector's objections**

4.1 According to the inspector, the person concerned acted or failed to act as captain contrary to the duty of care that he, as a good seaman, should observe with regard to the persons on board, the ship, the cargo, the environment and shipping traffic (Section 41 1 of the Seafarers Act).

The objection against the person concerned consists of the following elements:

1. The person concerned did not wish to make use of the offered opportunity for an extensive handover from the captain relieved, when first coming on board a vessel that was new to him and operated by a shipowner that was also new to him.
2. The person concerned undertook a voyage during which not all required (detailed) charts were available on board.
3. In the Odense Fjord, the person concerned navigated up to shortly before the grounding using a coastal chart, as the more detailed approach chart was missing.



4. In the Odense Fjord, up to shortly before the grounding, the person concerned determined his course and subsequent courses solely based on leading lights; he paid little attention to the navigational buoys.
5. The person concerned did not make use of the option to request a pilot, despite being tired, unable to zoom in on a detailed (approach) chart, and considering his two officers not capable.
6. Partly due to the above-mentioned factors, the grounding was able to occur.

4.2 The inspector cites as regulations that have not been complied with:

#### **Ships Act – Article 4**

1. The master is obliged before undertaking a voyage with his ship to ensure that:
  - c. the necessary nautical charts, sailing directions and instruments are available on board, and that these have been properly maintained or timely checked and corrected.

#### **Seafarers Act – article 4. Duty of care of the ship manager**

1. The ship manager shall ensure that his seagoing vessel or vessels are manned in such a way that all work on board can reasonably be carried out, taking into account operational requirements, the prevention of excessive fatigue of seafarers, without danger to those on board, the vessel, the cargo, the environment or maritime traffic, and in compliance with the applicable working and rest hours.

#### **Seafarers Act – article 9. Duty of care of the master**

1. The master shall ensure that the crew of the seagoing vessel is at all times capable of carrying out the work on board, taking into account the vessel's operations, the cargo, the environment and maritime traffic, and may take the necessary measures to that end, including the measure of not allowing the vessel to sail.



4. The captain organises the work and the watch is scheduled such that the watch personnel is adequately rested and is otherwise capable of assuming duty upon commencement of the watch.

**SOLAS Chapter V – regulation 34 b – safe navigation and avoidance of dangerous situations**

1. Prior to proceeding to sea, the master shall ensure that the intended voyage has been planned using the appropriate nautical charts and nautical publications for the area concerned, taking into account the guidelines and recommendations developed by the Organization\*.

**STCW code – part A – Chapter VIII – part 4.1 watchkeeping at sea**

47. The largest scale chart on board, suitable for the area and corrected with the latest available information, shall be used. Fixes shall be taken at frequent intervals, and shall be carried out by more than one method whenever circumstances allow. When using ECDIS, appropriate usage code (scale) electronic navigational charts shall be used and the ship's position shall be checked by an independent means of position fixing at appropriate intervals.

**ISM code – part A – 6. Resources and personnel**

6.1 The Company should ensure that the master is:

- .1 properly qualified for command;
- .2 fully conversant with the Company's SMS; and
- .3 given the necessary support so that the Master's duties can be safely performed.

6.3 The Company should establish procedures to ensure that new personnel and personnel transferred to new assignments related to safety and protection of the environment are given proper familiarization with their duties. Instructions which are essential to be provided prior to sailing should be identified, documented and given.



4.3 The sanction demanded by the inspector was an unconditional fine of € 500. At the hearing, the inspector added that he also considered a measure affecting the certificate of competency—whether conditional or not—to be appropriate, as it had been established that the person concerned is still actively sailing. In this respect, the inspector defers to the judgment of the Disciplinary Court.

#### **5. The position of the person concerned**

The person concerned acknowledges the facts and findings referred to above under the heading “Grounds”. He maintains his earlier explanations and statements, of which the most extensive and latest version (dated 19 March 2025) is, according to him, the correct one.

In summarised form, the person concerned has put forward the following arguments.

With regard to the first objection: There was no opportunity for an extensive handover. The superintendent who had brought me on board had to leave again before 3 p.m. with the relieved captain. I was tired after a long journey from Curaçao, and I indicated that “I wouldn’t remember” the details of a handover. That is why I asked whether the officers on board were capable of familiarizing me. This was indeed the case according to the shipowner, but afterwards it turned out that they were not familiar with the vessel and the safety management system.

With regard to the second objection: Before departure, I carried out a fairly extensive scan of the route and specifically checked the charts on the ECDIS for Rotterdam, Elbe, Brunsbüttel, the Kiel Fjord and Odense. These were loaded. I also reviewed the route in Chartplanner, and it did not indicate that any charts were missing or needed to be ordered. I did not realize that there were items in the shopping cart, and that the programme therefore indicated that everything had been ordered.

With regard to the third objection: It is correct that in the Odense Fjord, I navigated using a coastal chart up until shortly before the grounding. According to Chartplanner, no better charts were available.



With regard to the fourth objection: It is correct that I determined the course solely based on the leading lights. The small navigational buoys were difficult to see, both visually and on the radar.

With regard to the fifth objection: It is correct that I did not make use of the option to request a pilot. I was not only tired but also very frustrated.

## 6. The ruling of the Disciplinary Court

### 6.1 The means of evidence

The Disciplinary Court bases its assessment of the inspector's objections regarding the acts or omissions of the person concerned on the following means of evidence:

A. The video footage

B. The statement of the person concerned at the hearing, in so far as it contains the following, in concise form:

I came from Curaçao by plane, via Miami. When I boarded with the superintendent of the shipowner, I was exhausted and on the verge of collapse. Attempts were made to explain things to me, but I said I couldn't handle it anymore, that I was tired and that nothing would stick. There was no point in doing an extensive handover. I then asked whether my chief officer and the second officer were capable and whether they could further familiarize me with the vessel. That was confirmed. I then said that the captain and the superintendent were no longer needed. Unfortunately, it turned out that the officers were not capable, did not know the system, were not properly familiarized, and were unable to familiarize me. At that point, I should have stopped. The reproach that I did not make use of an extensive handover is not entirely correct. In that case, we would have had to remain alongside. Initially, I had been told that a second officer familiar to me, who had been sailing on these vessels for years, would be on board. That was not the case. He was not there. At that point, I should have said that I



did not know enough about the vessel and that we therefore should not sail. All in all, it was a setup for failure. But I never expected it to be this bad. The day before the grounding, I asked both the shipowner and the crewing agency to take me off the vessel, because this was going to go wrong. It was a recipe for disaster. And unfortunately, that is exactly what happened. From the very beginning, there were many moments when I made the wrong decisions.

At a certain point, it became too much, and I became exhausted and disoriented, eventually running aground. It also had something to do with my pride that I started off in the first place. I had hired myself out to sail, and I wanted to do my utmost.

The major disadvantage was that I did not have the correct charts. This was because, based on the information I had at the time, I did not think that I could have ordered other charts. The second officer had prepared the voyage plan. I checked the voyage plan in the sense that I reviewed the charts on the ECDIS for Rotterdam, the Elbe and the Kiel Fjord, as well as the port chart of Odense. They were all present. After that, I checked Chartplanner. The route was still there, and I checked whether any charts still needed to be ordered. That was not necessary. All charts were available.

I had previously sailed with this type of ECDIS. Normally, you create a route and activate it. The issue was not with the route or the ECDIS, but with the Chartplanner programme. Something unusual had happened there. Normally, a route is created via Chartplanner. Then the charts and publications are ordered, and permits are requested based on that. Those permits are then loaded into the ECDIS, activating your chart index again. Together with an ECDIS expert, I investigated what had happened. It turned out that charts were in the order basket without actually being ordered. As a result, the system did not indicate that they still needed to be ordered, because they were already in the order basket. This is something I had never encountered before and is not standard practice.



I was initially on the leading line, and then you get the next leading line that leads into the port itself. I turned too early, which is why I had the red buoy—a small red marker—just off to starboard. At that point, I was no longer on the leading line. I did not see the next pair of buoys. I was steering the entire route manually. I reduced speed because at that moment I became disoriented. Then I started doubting myself. The fact that I had that red buoy on the starboard side meant that I should steer to starboard. The leading line, however, was to port. If I had ignored it and calmly continued turning, everything would have been fine and I would only have had that red buoy on the wrong side. But probably due to my overtiredness, my impulse to steer to starboard was stronger than to keep it to port.

I did not consider requesting a pilot when I realized that I did not have an ideal crew. This is partly related to the system of small vessels that I come from. You try to save as much as possible and do things yourself. And I had been there before. It was not entirely unfamiliar to me.

I no longer sail commercially, as I am very disappointed in shipowners. I do still make use of my certificate of competency. I now work for the Coast Guard in the Caribbean Region.

- C. The answers from the subsequent captain following the person concerned, dated 16 December 2024, to questions from the Danish Maritime Authority (DMA) (annex 26 to the petition):
- “The only explanation I have is that the former Master lacks knowledge and experience how to use the program Chartplanner 4 from Datema which we use for ordering our ENC chart permits. When ordering charts it’s always best to select the detailed charts first. So start with all the berthing charts, then select all harbour charts, then all approach charts etc until you end with the overview charts. You need to manually enable the type of chart you want to see listed, but that’s not a bug, it’s a feature. If you view all type of charts at the same time you get a very busy screen without a good overview. What I think



happened with the Captain is as in attached picture. All type of charts were enabled except the approach charts. Therefore approach charts can't be selected, but as soon as you also enable approach charts you can select them.

(...)

The release on Saturday went fine, also when sailing out of Odense there was nothing wrong with the ECDIS it showed all detailed charts which I installed on Friday just fine.”

- D. The ship manager statement dated 2 January 2025 (annex 25 to the petition):

“Regarding the charts, we conducted an investigation on board. It was found that one or more detailed charts had not been ordered and were not installed on the ECDIS. The detailed chart of the port of Odense was installed; however, it only begins at a short distance from where the grounding occurred. The vessel therefore ran aground shortly after entering the detailed chart area.

The detailed charts for the preceding part of the route, i.e. the approach to the Odense Fjord and the route within the fjord, were not available. The captain navigated using a large-scale chart on which the buoys and other detailed information about the fairway were not discernible.

We believe the change of scale on the ECDIS, as reported by the captain, to have been the moment when the ECDIS switched from the large-scale chart to the detailed chart.

Once moored in Odense, the new captain ordered and installed the relevant detailed charts of the fjord, making all detailed information visible. No technical problems were observed during the ordering and installation.

Our preliminary conclusion is therefore that navigating in a fjord without having detailed charts available significantly contributed to the grounding.”



E. The ship manager replies to questions from the inspector dated 9 January 2025 (annex 30 to the petition):

How often had he sailed on the Amadeus Gold?

One voyage.

What was his experience on this vessel?

His experience on this vessel was limited, as he had relieved the previous captain shortly before the grounding. However, according to the relieved captain, the captain had received a good handover and has very extensive (virtually lifelong) experience on Dutch coasters. The chief officer, who normally sails as captain, had been on board for several weeks, and the second officer had been on board for four months. The rest of the crew had been on board for a longer period. Only the engineer had been on board for a short time, but this is one of our “shore-based engineers” who rotate across vessels without an engineer (749 kW) to carry out maintenance work, inspections, and, where necessary, to provide instruction to the crew. The engineer was very familiar with the vessel from previous voyages. Given that the captain was not familiar with this vessel, we placed this engineer on board before departure from Rotterdam.

How long had the Captain been on board at the time of the accident?

6 days.

How is familiarization and handover of officers arranged?

Via familiarization forms and handover forms from our Safety Management System (SMS).

How did this proceed with the Captain and the relieved captain?

A physical handover took place in Rotterdam.

What is the Captain’s experience with ECDIS?

As far as I am aware, given his many years of experience on Dutch coasters, he has extensive experience with ECDIS. According to his own statement, “he has been sailing with ECDIS since 2004 and may be the most experienced person with Chartplanner”.

Have you conducted your own investigation into this accident?

Yes.



What was the outcome of this?

The second officer did not use Chartplanner correctly and, as a result, did not order the detailed charts. Also, when plotting the route, he was not triggered by the absence of detailed information in the Odense Fjord. It is unclear to us whether the captain checked the route and why he continued sailing despite not having detailed charts, but we strongly suspect that the lack of detailed charts was the primary cause of the grounding.

F. The ship manager replies to new questions by the inspector, dated 4 April 2025 (annex 48 to the petition):

2. Handover from previous Captain to the Captain was declined...?

What does this statement exactly mean? Did the Captain decline? What was his reason?

The statement means that the Captain was offered a longer handover period by off signing Master, but the Captain declined the offer, stating that he already knew everything. As a result, the signing off Master departed on the evening of December 5th.

3. The Captain boarded the vessel in the morning of December 5. Did he have a proper rest before boarding or did he come straight from the airport?

He went directly on board from the airport.

4. Familiarisation was not completed. It was mentioned that the Captain had significant experience on this kind of vessels. However, the Captain was new on the specific vessel (with the existing problems?), new for the crew and new to the company. He has no knowledge of the management system. One day handover in port (where a captain is often disturbed by agents, customs, authorities etc), while the vessel also had to sail from Kon. Wilhelminahaven (Vlaardingen) to the Waalhaven, doesn't seem sufficient. Is this normal procedure? What is your reaction to this? –

We always ensure that agency-hired workers for temporary assignments sail for at least a few days or have a proper handover



period in port of one or even two full days. At that time, M. S. was on board as Captain and offered to stay longer to assist the Captain, however, the Captain stated that the handover was sufficient for him and informed captain M. S. that he could go home. As the Captain was highly experienced on these kinds of vessels and he stated that he felt confident, we did not see a reason to doubt his judgement. Especially as the vessel was, to our knowledge at the time, running smoothly without any major issues in progress.

7. There is no policy regarding pilotage. It is the Master's decision. Did the Captain know about this? How could he be aware of this?

There is no policy on pilotage, the decision rests with the Master. If a pilot is compulsory, it must be taken. Otherwise, the Captain must ensure additional precautions. The Captain was responsible for knowing this through Official nautical precautions. If he requested a pilot, it was his right. This is common practice on these kind of vessels of which the Captain must have been well aware.

## 6.2 Considerations

The inspector's objections were ruled to be well founded. The person concerned has acknowledged all objections, and there is supporting evidence. The explanation provided by the person concerned for his actions/omissions does not lead to a different judgment.

It is important that familiarization takes place when a captain is new on board a vessel and that the vessel does not sail before this has been completed. However, the person concerned did not accept the previous captain's offer to familiarize him. He should have done so, as this was his first time on board a vessel that was new to him and operated by a ship manager that was also new to him. If he was too tired to properly absorb the handover facts, he should have taken the measure of not allowing the vessel to sail. The ship manager may also have played a role in this. As argued by the inspector, the ship manager could, for example, have arranged an overlap period of a few days with the outgoing captain. However, the ship



manager is not a party in the disciplinary proceedings. Moreover, as captain, the person concerned is ultimately responsible for ensuring that the crew (including himself) is capable of performing the work on board.

It was established that the person concerned undertook a voyage during which not all required (detailed) charts were available on board. The second officer had not ordered all (detailed) charts and/or had not activated all permits. The person concerned states that he was unaware of this because there were “items in the shopping cart,” which caused the programme to indicate that everything had been ordered. As captain and the person ultimately responsible for voyage preparation, he should have noticed this when checking the charts prior to departure.

It was also established that in the Odense Fjord, the person concerned navigated up to shortly before the grounding using a coastal chart, as the more detailed approach chart was missing. However, the person concerned should have used that detailed chart during navigation.

From the video footage, it can be inferred that, in the Odense Fjord, up to shortly before the grounding, the person concerned did not pay sufficient attention to either the leading lights or the navigational buoys. At a certain point, he saw a small navigational buoy on his starboard side and became disoriented. At the hearing, the person concerned explained that the small navigational buoys were difficult to see both visually and on the radar. However, the person concerned should still have kept a proper eye on these buoys.

Finally, it was established that the person concerned did not make use of the option to request a pilot, despite being tired, unable to zoom in on a detailed (approach) chart, and considering his two officers not capable. The person concerned could and should have done so. The fact that he was tired and frustrated, as the person concerned states, is not an argument for not engaging a pilot. On the contrary, it is a reason to do so.



The above circumstances (in)directly contributed to the grounding.

### 6.3 The disciplinary measure

The Disciplinary Court rules that the person concerned failed in his responsibilities as captain, which resulted in the grounding.

Contrary to what the inspector initially assumed, the person concerned still makes use of his certificate of competency. At the hearing, the person concerned stated that he now sails for the Coast Guard in the Caribbean region. He also stated that his certificate of competency expires in November of this year and that he will likely renew it. In line with other decisions of the Disciplinary Court, suspension of the navigation licence is therefore more appropriate than a fine.

In view of the seriousness of the evident behaviours, a suspension of the navigation licence for the duration mentioned below is appropriate.

In the circumstance that the person concerned has informed the Disciplinary Court that he has learned from the incident (his email of 15 September 2025), and that the second officer also did not properly carry out the voyage preparation, the Disciplinary Court sees reason to determine that the suspension of the navigation licence will be imposed partially conditionally.

## 7. **The decision**

The Disciplinary Court,

- rules that the objection against the person concerned is well-founded;
- suspends the navigation licence of the person concerned for a period of two weeks;
- stipulates that of this suspension, a period of 1 (one) week will not be imposed unless the Disciplinary Court stipulates otherwise in a subsequent ruling based on the fact that the person concerned has once again behaved contrary to his duty of care as a good seaman in respect of the persons on board, the vessel, the cargo, the environment



- or shipping traffic prior to the end of a probationary period, which the Disciplinary Court hereby sets at two years;
- stipulates that the probationary period of the suspension shall commence on the date six weeks following the date of this ruling being forwarded.

Duly delivered by W. van der Velde, LL.M., presiding judge, W.A. Barten and O.F.C. Magel, members, in the presence of V. Bouchla, LL.M., secretary, and pronounced in the public hearing on 27 March 2026.

W. van der Velde  
presiding judge

V. Bouchla  
secretary

An appeal against this ruling can be lodged within six weeks of the date of forwarding with the Dutch Trade and Industry Appeals Tribunal ('College van Beroep voor het Bedrijfsleven'), Prins Clauslaan 60, 2595 AJ The Hague, P.O. Box 20021, 2500 EA The Hague, the Netherlands.