

COVID-19 update - Statutory requirements

COVID-19 has left its mark around the world and is severely impacting the shipping industry. Shipowners and managers are facing multiple challenges, one of which is the requirement to have valid certificates on board. Following our previous [circular](#), we would like to give an update about the statutory requirements.

Crew certification

Many governments have introduced national and local restrictions, such as prevention of crew from embarking or disembarking, which makes shore leave and crew changes impossible. As a consequence, seafarers cannot be repatriated at the end of the period listed in their Seafarer's Employment Agreement (SEA). Such situations result in seafarers staying on board beyond the maximum allowed period, which is in breach of the applicable regulations of the Maritime Labour Convention (MLC). Moreover, mandatory training and medical examination might become overdue resulting in expired Certificates of Competence and Certificates of Proficiency.

Furthermore, if a crew member falls ill and needs to be hospitalised but cannot be replaced immediately due to COVID-19 travel restrictions, this might result in a violation of the Minimum Safe Manning Document (MSMD) under Chapter V of the SOLAS Convention.

Surveys and inspections

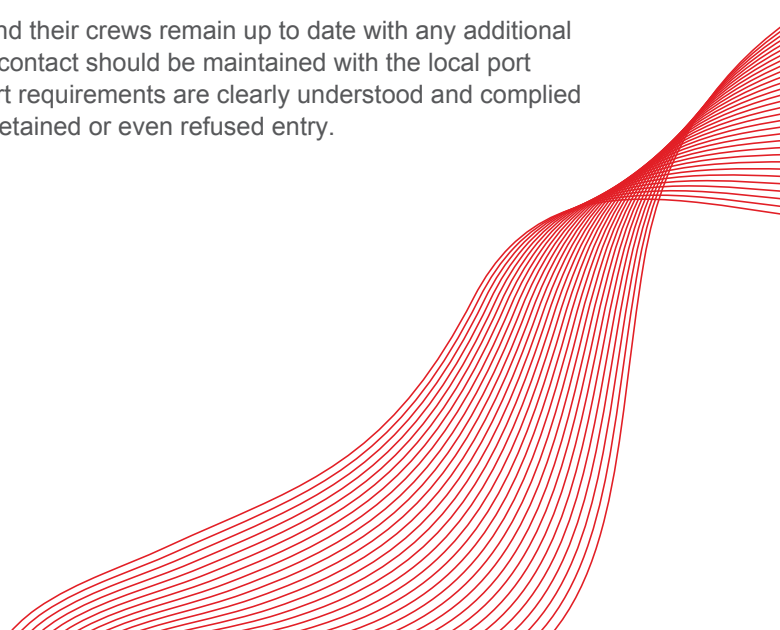
Travelling, both nationally and internationally, has become increasingly difficult as travel bans have been imposed. These travel restrictions cause difficulties with regards to providing ships surveyors. Furthermore, numerous shipyards are not able to accommodate vessels, even for booked and planned inspections and for surveys which require dry-docking. As a consequence, shipowners are unable to arrange mandatory surveys and audits as required by their Flag State and Classification Society.

Extension and dispensation

The majority of Flag State authorities are already taking a pragmatic approach in these uncertain times and may allow for suitable extensions and dispensations. However, it is important that any such requests are made prior to a breach of the relevant statutory regulation and before the due date of mandatory surveys, audits and crew certificates. It is of utmost importance that the certificates do not expire, as this may have an impact on insurance cover.

Port requirements

To avoid delays, shipowners should ensure that both they and their crews remain up to date with any additional requirements that individual ports may have in place. Close contact should be maintained with the local port authorities and local agents to ensure that any additional port requirements are clearly understood and complied with. Failure to do so may cause the vessel to be delayed, detained or even refused entry.



For further advice please consult:

- Advice from IMO can be found on their [website](#).
- Guidance for Ship Operators for the Protection of the Health of Seafarers prepared by the International Chamber of Shipping [here](#).
- An overview of port restrictions worldwide, can be found [here](#). This interactive map is updated regularly.
- Updates from BIMCO on COVID-19 can be found [here](#).

We recommend to follow the updates of the WHO, which can be found on this website:
<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

This information is meant for guidance only. Should you require more information or assistance, please feel free to contact our Client Services Desk:
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