

## **GUIDANCE NOTE 02/2020**

### **IMPACT OF COVID-19 ON OPERATION OF CAYMAN ISLANDS REGISTERED SHIPS**

**To: OWNERS, MANAGERS, OPERATORS, CREWING AGENCIES AND MASTERS OF CAYMAN ISLANDS REGISTERED SHIPS (INCLUDING YACHTS)**

#### **1. BACKGROUND**

- 1.1 The Cayman Islands Shipping Registry (CISR) understands that in view of the ongoing and evolving situation with the outbreak of novel coronavirus (COVID-19) owners and managers of Cayman Islands registered Ships are facing challenges in meeting various statutory requirements under international Conventions extended to the Cayman Islands and the Merchant Shipping Laws and the subsidiary legislation.
- 1.2 These challenges may include the timely repatriation of seafarers onboard Cayman Islands registered ships at the end of the period in the seafarer's employment agreement (SEA), deployment of seafarers who are not able to obtain revalidation from training institutes for their expiring certification, inability to obtain shipyard dry-docking services, inability to carry out mandatory periodical surveys, audits and inspections in time, etc.
- 1.3 The CISR is keenly aware of the situation faced by owners and managers and wishes to take a pragmatic approach to assist the industry in overcoming these challenges. The following guidance includes a non-exhaustive list of scenarios and provides instructions for owners and managers who face such challenging issues due to the COVID-19 outbreak, to obtain favourable consideration by the CISR.
- 1.4 In addition to this guidance note attention is drawn to the following guidance issued by the World Health Organization (WHO) "Operational considerations for managing COVID-19 cases / outbreak on board ships": <https://www.who.int/publications-detail/operational-considerations-for-managing-covid-19-cases-outbreak-on-board-ships>.

#### **2. EXTENSION OF SEA SERVICE BEYOND CONTRACTUAL PERIODS**

- 2.1 As a result of the global outbreak of COVID-19 increasing numbers of port authorities are adopting stringent controls to limit (or even bar) movement of people to attempt to minimise the chance of the illness spreading.
- 2.2 It is understood that such measures may have resulted in shipowners having difficulty arranging crew changes for seafarers to be repatriated when reaching the maximum period of service in their SEA / CBA (Collective Bargaining Agreements). As a result

some seafarer's employed on Cayman Islands flagged ships may exceed the service period entered in their SEA.

- 2.3 It is understood that many SEA's / CBAs provide for a short extension (usually a month) to the period of service where required. This should be utilized where possible in the current situation and would not normally require any involvement by the CISR.
- 2.4 Where this is not possible (such as the SEA does not contain such provision) then the CISR may be able to give consideration to permitting an extension to the period of service provided that the following applies:
- The CISR is provided with the details of all the affected seafarers;
  - These seafarers voluntarily consent to the extension in writing;
  - Such extensions do not exceed the maximum period of service permitted by the Maritime Labour Convention (MLC) and the Law which is 12 months.
- 2.5 Whilst the CISR will consider such requests that comply with the above favourably it must be pointed out that, whilst we would hope that given the current situation that Port States will be pragmatic, we must make it clear that Port State Control (PSC) authorities may not always look favourably where periods of service are exceeded. In the past (prior to the COVID-19 outbreak) PSC detentions have occurred due to period of service issues.

### **3 QUARANTINE AND SELF ISOLATION**

- 3.1 The CISR is aware that many countries have imposed quarantine or self-isolation measures on persons in or arriving from certain locations or who have interacted with infected persons. Here follows guidance which owners, masters and managers should take into account regarding such measures.
- 3.2 Any seafarer that is diagnosed with COVID-19 whilst employed would be entitled to medical care and sick leave as per their SEA, the law and MLC.
- 3.3 Any "mandatory quarantine" on joining or leaving a ship for existing crew should be considered as the seafarer still being in the service of the ship and therefore paid accordingly. For brand new crew whether this applies prior to starting work (signing on) would be down to the contract, though the CISR strongly encourages owners and managers to give due regard to the current situation.
- 3.4 "Precautionary self-isolation" may not be considered as in the service of the ship and is at the discretion of the employer, though the CISR strongly encourages owners and managers to give due regard to the current situation and consider self-isolation as in the service of the ship.

### **4. EXTENSION OF SEA SERVICE PERIOD BEYOND QUALIFICATION REVALIDATION DEADLINE**

- 4.1 If a seafarer serving or engaged onboard a Cayman Islands vessel is unable to revalidate their Certificate of Competency (COC) before the expiry date due to challenges associated with the COVID-19 outbreak then consideration will be given to allow seafarers who holds a Cayman Islands Endorsements for such endorsements to be extended provided the seafarer has the agreement from the issuing state of the

underlying COC. This will also apply to revalidation of mandatory training required under the STCW Convention.

- 4.2 Owners and managers may submit a request in writing to the CISR, accompanied with an official confirmation of continued validity from the issuing authority of the seafarer's COC.
- 4.3 In such cases the CISR will give due consideration to issuing a confirmation letter for the seafarer to continue serving onboard. No fees will be charged for this confirmation letter.

## **5 EXTENSION OF MANDATORY SURVEYS, AUDITS AND EXPIRY OF STATUTORY CERTIFICATES**

- 5.1 The CISR will also give consideration to the extension of mandatory statutory surveys, inspections or audits.
- 5.2 Application for extension of surveys / inspections / audits or the validity of statutory certificates may be submitted to CISR, accompanied by a recommendation from the ship's recognised organisation (RO).
- 5.3 In addition to paragraph 5.2 the CISR may look favourably on the extension of a vessel's docking, or servicing of critical equipment as required under the respective Conventions. In all cases such requests should be supported by the vessel's Recognised Organisation and include the reasons why the vessel is unable to comply.
- 5.4 It is strongly advised that owners and managers submit such applications before the due date of the surveys / audits or expiry date of the statutory certificate in order to avoid Port State Control issues.
- 5.4 All requests for consideration as mentioned in paragraph 2.2, 4.1 and 5.1 should be submitted to the CISR at [technical@cishipping.com](mailto:technical@cishipping.com).
- 5.5 If your call is out of hours and urgent please contact either of following, taking into consideration the local time: -
- UK duty surveyor on +44 7824 302 502
  - George Town duty surveyor on +1 345 815 1666

### **Special Note**

The Maritime Authority of the Cayman Islands (MACI) reserve the right to amend or cancel this guidance notice at any time in view of the changes and advice provided in respect to COVID – 19. Extensions or dispensations will only be granted where the delay is due to official action, i.e. restrictions imposed by the Port Authority or other official body.