

### CHINA. NEW PREVENTION AND CONTROL MEASURES FOR ENTERING SHIPS

Ingosstrakh's P&I Correspondent in China Messrs. Huatai Insurance Agency & Consultant Service Ltd. reports on new prevention and control measures for ships entering China.

On September 24th, Ministry of Transport, General Administration of Customs, and Ministry of Foreign Affairs jointly issued an Announcement (Announcement of the Ministry of Transport No. 78/2020), to strengthen the prevention and control of the COVID-19 among the crew of international sailing ships, so as to prevent the cross-border spread of COVID-19 by the crew of international sailing ships.

The content of the Announcement is summarized as follows:

#### Applicable circumstances

All international sailing ships intending to enter China, either

- a) changes crew members at the last port or place before entering China; or
- b) changes crew members during last 14 days prior to its arrival at the port in China.

#### Requirements

- a) The joining crew members should have nucleic acid test for COVID-19 done within 3 days prior to boarding, and should board the ship with document showing negative result of nucleic acid test for COVID-19.
- b) The test should be conducted in an institution designated or recognized by the Chinese embassy or consulate abroad.
- c) When going through the procedures for entering the first port of China, the copy of the document showing negative result of nucleic acid test for COVID-19 for the joining crew members should be submitted as required.

#### Consequence of violation

- a) Ship's arrival, departure or cargo operation might be hindered;
- b) Administrative legal responsibility might be investigated according to law, if the circumstance of such violation is severe;
- c) Criminal responsibility shall be investigated according to law, if there is no document or false documents showing negative result of nucleic acid test for COVID-19 for the joining crew members and cause the spread or risk of spread of COVID-19 within the People's Republic of China.

## CHINA. NEW REGULATIONS ON CREW CHANGE

Another report on recent changes in China re crew change operation comes from BIMCO: As it stands 7 Chinese governmental bodies including the Ministry of Transportation (MOT) have released a notice last week announcing that 10 Chinese ports will resume foreign crew change operations with certain requirements in place, taking into account of the current COVID-19 situation.

The 10 ports allowing for foreign crew change are Dalian, Tianjin, Qingdao, Shanghai, Ningbo, Fuzhou, Xiamen, Guangzhou, Shenzhen and Haikou.

All shipping companies are advised to comply with the requirements set out in the said notice when effecting crew change which are as follows:

Foreign crew signing off

- comply with Chinese entry and staying regulations during the epidemic period;
- acquire a valid departing air ticket, vessel ticket or bus ticket;
- the disembarking point has facility to arrange “point-to-point” transfer to the outbound gate within the same city;
- the ship in question has left the last foreign port in more than 14 days;
- crew on board keeps a sound health and quarantine record;
- crew change will be permitted at the designated Chinese port upon clearance by the Chinese Customs carrying out a proper quarantine checkout together with negative nucleic acid testing result; and
- the shipping company is required to rent a car to transfer the foreign crew from the disembarking point to the outbound gate point directly within the same city, or to embark another outbound ship directly once disembarking without any further stay in China.

In addition to the above, all shipping companies are advised to :

- closely monitor the port’s local quarantine conditions; and
- shall implement a closed-loop management as per the quarantine requirements issued by the local port.

The said notice introduces a quarantine circuit-breaker mechanism. It operates in the following manner; a shipping company’s foreign crew change operations will be suspended for 15 days if there were 5 tested positive cases detected in their ship aggregate; or suspended for 30 days if there was found 10 tested positive cases in their ship aggregate. More than 10 tested positive cases found, the shipping company will not be allowed to operate until they pass a fresh assessment conducted by the relevant authorities.

As understood from previous experience, various Chinese ports takes different pragmatic approaches when dealing with the foreign crew change. It is recommended therefore, that Insureds planning to have crew change conducted in China, to consult their local agents for the latest requirements implemented by the port in question.

## **KOREA. NEW QUARANTINE REQUIREMENTS FOR SHIPS ARRIVING FROM RUSSIA AND COVID-19 HIGH-RISK COUNTRIES**

Ingosstrakh's P&I Correspondent in Korea Messrs. Hyopsung Surveyors & Adjusters Corporation reports on new Quarantine Requirements for Ships Departing from Russia and COVID-19 High-Risk Countries to South Korea.

In order to prevent importation of COVID-19 into communities from ports, Korea Disease Control and Prevention Agency (KDCA) announced that as of 3 August 2020, crews on boarding ships from Russia and high-risk countries (Bangladesh, Pakistan, Kazakhstan, Kyrgyzstan, Philippines, Uzbekistan, and etc.) are required to submit upon arrival at Korea a certificate showing tested negative for COVID-19 taken at a testing facility designated by South Korean embassies within 48 hours prior to departure. If the requirement of certificate for Polymerase Chain Reaction (PCR) negative test result is not met (issued in excess of the 48 hours or issued at a not approved test facility or fail to submit the certificate), all ship crews on board are to undergo COVID-19 tests, all crews disembarkation is not permitted, and ship works (cargo operation, bunkering, and etc.) are suspended until the 'negative' results are received.

As the foreign ship crews arriving at Korea on ships from Russia and high-risk countries (Bangladesh, Pakistan, Kazakhstan, Kyrgyzstan, Philippines, Uzbekistan, and etc.) are frequently found not submitting or failing to submit the mandatory proper PCR test (taken within 48 hours prior to departure) result negative certificate from an approved test facility designated by South Korean embassies, the Quarantine Station announced to impose penalty under the Quarantine Act as of 8 September 2020 if found in violation. The crew (and the Owner under the joint penalty provision) shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding KRW10,000,000 if any of the following.

- If submit an unproper (issued in excess of 48 hours from departure or issued at an undesignated test facility that is not approved by South Korean embassies) PCR test result negative certificate.
- If do not submit the PCR test result negative certificate.
- If forgery or alteration of the PCR test result negative certificate.

The above penalty is to be decided by a local court upon prosecution by a public prosecutor based on the coast guard's investigation.

We recommend Insureds to contact their local agents for more updated information on the requirements (including on the Health Declaration Form, Travel Record Declaration, Self-Diagnosis Mobile App, immigration and quarantine procedures, 14-day quarantine isolation, and etc.) prior to calling at Korean ports in order to avoid possible delays.