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FLEET SAFETY LETTER 031420.GEN

14 March 2020

Applicable to: This FLEET/SAFETY LETTER is to be brought to the attention of Masters, seafarers, ship-owners, ship managers, operators, manning agencies, Port State Control Officers or any other government or official agency regarding Vanuatu registered vessels and all seafarers serving thereon.

Coronavirus and Seafarers Employment Agreement (SEA)

- 1. The purpose of this Merchant Marine Notice is to inform that with the outbreak of the Novel coronavirus (2019-nCoV), the WHO declared a state of global health emergency, causing massive uncertainty across the global trade, resulting in additional implication for the regular shipping operations.**
- 2. The coronavirus outbreak coincided with the Chinese New Year holiday, and the Chinese government has taken the unusual step of extending the break for up to a week in order to reduce the spread of the contagion. Given the rapid spread of the virus it seems likely that the shutdown could be extended even further.**
- 3. This policy is having an effect for crew changes. With extensive travel restrictions to and within China, moving personnel has become more difficult, and ports outside of China are carefully scrutinizing seafarers who have recently visited affected areas.**
- 4. Is the purpose of this Marine Notice to inform that in those cases where it is not possible to change the crew due to this situation, this Administration consider appropriate to make an exemption to Standard A2.4.3, and Standard A2.5.1.2(b) of the Maritime Labour Convention, 2006, as amended, in order to extend the seafarers period of service on board, due to the WHO global health emergency which stated:**

Standard A2.4 – Entitlement to leave

...

3. Any agreement to forgo the minimum annual leave with pay prescribed in this Standard, except in cases provided for by the competent authority, shall be prohibited.

Standard A2.5.1 - Repatriation

...

2. Each Member shall ensure that there are appropriate provisions in its laws and regulations or other measures or in collective bargaining agreements, prescribing:

...

(b) the maximum duration of services periods on board following seafarer is entitled to repatriation – such periods to be less than 12 months; ...


5. In those case where the exemption is required, please be informed that by the end of the extension provided all the seafarers will have the right to have their annual leave with pay, and to be duly repatriated, as prescribed by the Standard A2.4.3, and Standard A2.5.1.2(b) of the Maritime Labour Convention, 2006, as amended, accordingly.

6. Finally, be informed that the exemption given through this Fleet Safety Letter will be reviewed within a period of 45 (forty-five) days in which it will be decided whether the exemption granted is maintained or terminated.

7. Further Extensions / exemptions will be granted through an Authorization Letter issued by the VMSL-NY Office, and must be requested through one of VMSL's Special Agent Offices located in either Japan, Korea or Istanbul (detailing the vessel name, and crew name and position on board) and attached with the following requirements:

a-Copy of Crew List of the vessel.

b-Copy of the Seafarer Employment Agreement (SEA) of each seafarer requesting the extension.


Captain Patrick Michael DeCharles,
by direction of the
Deputy Commissioner of Maritime Affairs
The Republic of Vanuatu

