



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## WA to Soften on COVID Vessel Policy?

Speculation has arisen that the Western Australia Government may be about to soften its stance on outrightly turning away cargo vessels if COVID-19 cases are or are suspected to be onboard.

An update is apparently imminently expected on the state government's State of Emergency Declarations relating to management of the pandemic, in which *Semaphore* believes references to turning away sick crew may have been removed.

It is understood the WA Government has previously threatened a harder line on this issue than any other Australian state or territory, which drew the ire of Shipping Australia (SAL).

In a statement on August 6, SAL chief executive Melwyn Noronha urged the state government to reconsider the "dangerous policy".



*SAL chief executive Melwyn Noronha*

"Shipping Australia calls upon the WA Government to recognise the vital importance of shipping by adopting a pragmatic risk management approach with the aim of facilitating trade," he said.

"We also call upon the WA Government to ensure that sick seafarers have access to appropriate medical care."

The SAL statement made the following observations:

- turning ships away risks seafarers becoming very sick or, worse, dying. It is immoral for the WA Government to expose seafarers to sickness and death when it has been repeatedly proven that seaborne COVID-19 can be safely managed. Governments around Australia have handled several incidents and, throughout the pandemic, Queensland has provided an exemplary model of being able to keep trade moving while simultaneously helping seafarers and protecting Queenslanders
- if a ship gets turned away and its crew is sick, then their ability to safely sail a ship could be compromised. In such circumstances, a ship could collide with another vessel or could run aground on a reef, risking the pristine environment of WA
- ships carry nearly all of our goods and commodities. About 99.92% by volume of all of Australia's international trade is carried by sea. Disruption to shipping leads to disruption of the WA and national economies. The WA population could be adversely affected by being unable to buy foodstuffs or goods for households, consumers and businesses

Furthermore, the statement emphasised that SAL had "repeatedly demonstrated" to authorities that the shipping industry is taking a great number of measures to keep crews and shoreside communities safe from COVID-19.

“We have made extensive submissions to the authorities,” it stated.

“We have provided evidence, including photographs, of seafarers carrying out infection controls such as wearing protective equipment, disinfecting surfaces, controlling access to ships and restricting ship-shore interactions.

“We provided a case study focused on a ship operator that controls over 670 ships and works with over 31,000 seafarers. We have written letters and have taken part in government-run workshops.

“Shipping Australia continues to work with governments to help seafarers access healthcare, to shield the community from COVID, to protect the environment and to enable trade to flow.”

This document circulated by the Pilbara Ports Authority on September 17 contains what are understood to be the latest Maritime Directions for Western Australian ports.

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