

Class exemption for non-cruise maritime crew

9 April 2020

On 9 April, the National Cabinet agreed that the Australian Government and all states and territories would implement a consistent and immediate exemption for non-cruise maritime crew to provide for the transiting to and from their places of work, within and across jurisdictions with agreed documentation.

National Cabinet noted that states and territories may adopt additional protocols in consultation with industry that creates protection for crews on board vessels, and will put in place appropriate penalties for companies and individuals that are found to be in breach of the requirements of the exemption.

The exemption will be reviewed on 1 June 2020.

Class exemption

This class exemption for non-cruise maritime crew will be implemented by the Australian Government, and all states and territories in their relevant primary or subordinate legislation. The purpose of the exemption is to enable key industries and supply chain activities to continue to operate while at the same time mitigating the risk that these workers may spread COVID-19.

Definition of maritime crew

Maritime crew includes anyone required to be part of a crew operating or providing services to support the operation of a commercial vessel (excluding cruise vessels) or a government vessel in Australian waters. A commercial vessel is defined as any vessel involved in commercial activity in support of the movement of freight and important industries (such as the resources industry) or person involved in the provision of port services, maintenance services, marine pilots and marine surveyors. Maritime crew does not include cruise ship crew.

Maritime crew includes Australian and New Zealand Citizens, permanent residents, maritime crew visa holders and sub-class 400 (temporary specialist worker) visa holders.

This advice does not apply to crew on cruise ships.

Maritime crew also includes any Government officials involved in the regulation or other authorisation of the industry, including personnel from the Australian Government (such as the Australian Maritime Safety Authority, the Australian Border Force, the Department of Agriculture and the Environment, the Department of Health) and the state/territory government (such as the Department of Health, Maritime Regulatory agencies, Port Authorities, and Environment Protection agencies). These officials are exempt from any quarantine or self-isolation requirements where they are required to attend a vessel for the purposes of conducting their regulated activities.

Provisions

These provisions apply to Australian and international crew working on commercial vessels in Australia (not cruise ships). Vessels may berth in Australia at any time, however, if the vessel arrives within 14-days from their last international port of call or from the last time crew (not including cruise ship crew) joined the vessel within Australia and all occupants aboard the vessel have declared that they are healthy the following restrictions apply:

- All crew must remain on-board while the vessel is berthed in a port or any other place where cargo is loaded or unloaded.
- Crew are able to disembark to conduct essential vessel functions and crew must wear personal protective equipment (PPE) while performing these functions.
- Crew must also use PPE in public spaces on board the vessel while non-crew members are on-board.
- These restrictions apply until 14 days has elapsed since the vessel departed the last foreign port before Australia or the last time crew joined the vessel within Australia, unless crew are unwell or there is a suspected case of COVID-19 on-board. If a person is unwell, there will be a human biosecurity assessment, and if indicated, a subsequent referral to state and territory human biosecurity officer (public health doctor) for direction as per current process.
- The period maritime crew spend at sea prior to their arrival in Australia and during operations in Australia since the last time crew joined the vessel counts towards the 14-day period of self-isolation. In practice, if a vessel has travelled for ten days since last being in a foreign port, the period of self-isolation for its crew members would be the remaining four days.
- Shore leave can be taken once the 14-day period has elapsed so long as no crewmember has demonstrated signs of illness or is suspected of having COVID-19.
- Commercial vessels that have made declarations during pre-arrival formalities that crew are ill and showing COVID-19 health symptoms will be managed in accordance with established pratique arrangements and in consultation with state police jurisdictions. Reception and management plans will be drawn together prior to allowing the vessel to enter an Australian port.

Crew signing off a vessel

- Both Australian and foreign crew signing off a vessel at an Australian port who have completed the 14-day isolation period will be permitted to:
 - transit and depart Australia via a flight; or
 - proceed to join another vessel in Australia; or
 - for Australian residents, return to their normal place of residence in Australia.
- Crew departing via a flight will need to provide evidence of their flight details or the next vessel they are to join.
- Where a crewmember is signing off a vessel (within the 14-day period) and remaining in Australia to join another vessel they must self-isolate at their accommodation for the remainder of the 14-day self-isolation period.
 - Crewmembers departing Australia may proceed directly to the airport and depart; or they must self-isolate at their accommodation until the time they proceed to the airport.
 - Crewmembers can proceed to join another vessel in Australia, but they must self-isolate at their accommodation until the time they board the vessel.

- Where a crewmember’s transportation out of Australia is delayed or cancelled, the crewmember can remain in Australia on their existing Maritime Crew Visa until an alternative transportation option is arranged.
- Crewmembers must still complete their 14-day self-isolation period following the departure from their last foreign port.
- Where a crewmember is an Australian resident and is signing off a vessel (within the 14-day period) and returning home they must self-isolate at their usual place of residence for the remainder of the 14-day self-isolation period.
- Where a crewmember is an Australian resident and is signing off a vessel (following the completion of the 14-day period) and returning home they may travel home without the need to quarantine prior to arrival or self-isolate at their usual place of residence.

Crew arriving by international aircraft or travelling within Australia to join a vessel

The following exemptions are in place for commercial vessels and non-cruise maritime crew:

- Crew travelling to Australia (by aircraft) to join a vessel must adhere to the following arrangements:
 - On arrival in Australia crew may be subject to additional screening by biosecurity.
 - Crew may take a domestic flight/s to their final destination to meet their vessel but must self-isolate at their accommodation if they have a layover at any time.
 - Crew must proceed directly to the vessel or self-isolate in their accommodation.
 - Crew experiencing any signs of illness must not join the vessel and should seek medical assistance.
 - Once on the vessel, crew members may leave the vessel to undertake vessel functions and must wear PPE while performing these functions.
- Crew travelling within Australia (by any means of transportation) to join a vessel must adhere to the following arrangements:
 - During travel to their destination or on arrival at their destination crew may be subject to additional screening by biosecurity.
 - Crew may take a domestic flight/s to their final destination to meet their vessel but must self-isolate at their accommodation if they have a layover at any time.
 - Crew must proceed directly to the vessel or self-isolate in their accommodation.
 - Crew experiencing any signs of illness must not join the vessel and should seek medical assistance.
 - Once on the vessel, crew members may leave the vessel to undertake vessel functions and must wear PPE while performing these functions.
- Crew joining a vessel in Australia within 14-days need to undertake appropriate precautions when interacting with others. This includes:
 - Use of appropriate PPE when interacting with others (port workers and other crewmembers who will be leaving the vessel for shore leave or sign-off).
 - Practice good personal hygiene and clean/sanitise surfaces and common areas.
 - Use separate facilities to other crewmembers (where possible).
 - Maintain appropriate social-distancing.

Documentary evidence of exemption

- Crew travelling to a vessel in Australia or leaving a vessel to return home or leave Australia should carry the following documentary evidence to demonstrate to state or territory authorities they are subject to an exemption:

- A letter from their employer on company letterhead indicating their name, occupation, reason for travel relating to their work and the location where the work is to be conducted
 - A letter from the port authority indicating that the vessel that the work relates to is expected to be in that port at the specified time
 - Their Maritime Security Identification Card where they have one
 - A copy of the company COVID-19 management plan or staff procedures.
- Companies with crew travelling to join commercial vessels in Australia may also be requested to submit their company COVID-19 management plan or staff procedures and a list of staff expected to be travelling and subject to this exemption to relevant authorities.
- Where the maritime crew have complied with all of the requirements of the exemption state and territory law enforcement representatives will permit the crewmember to travel to their vessel and to travel home from their vessel at the end of their allocated shift without impediment.
- State and territory law enforcement representatives will check compliance with the exemption conditions and action may be taken if maritime workers are found to have not complied with any of the requirements of the exemption.