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MARINE DEPARTMENT
SHIPPING REGISTRY &
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31 July 2020

To : Shipowners / Ship Managers / Masters of Hong Kong registered ships

Dear Sir/Madam,

Extension of Crew Agreement Service Period in response to the Novel Coronavirus (COVID-19) Pandemic

On 7 February 2020, Hong Kong Marine Department (HKMD) issued a circular letter to draw the attention of shipowners / ship managers / masters that an extension of a seafarer's service period can be exercised pursuant to section 3A of the Merchant Shipping (Seafarers) (Repatriation) Regulation (Cap. 478Q), provided that such extension is agreed by the seafarer voluntarily in writing.

During the past several months, development of the pandemic and the COVID-19 related restrictions on crew changes have brought major impacts on seafarers' repatriation. HKMD would like to reiterate and supplement the requirements on the extension of Seafarers' Employment Agreement (SEA) as follows:

- (a) the extension shall be agreed by the seafarer voluntarily in writing;
- (b) the extension of SEA may be documented as an addendum to the preceding SEA, or as a new SEA starting from the expiry date of preceding SEA. The clauses in the extended or addended SEA shall be not inferior to those in the previous SEA. The full copy of such SEA shall be submitted to HKMD within 28 days after signing (together with the "Record of Extension or renewal Seafarers' Employment Agreement");
- (c) the extension of SEA shall have a commencement date and an end date. Extension of SEA without an end date is inappropriate;
- (d) a repatriation plan shall be prepared for those crew who has served for more than 11 months, and submitted to HKMD. Further follow-up and updating of the plan shall also be submitted to HKMD until the repatriation plan is achieved;
- (e) the extension of SEA should not cause the seafarer serving on board over 14 months without taking leave unless there are strong reasons. In such cases, the master shall report to HKMD for approval and give pre-arrival notice to the port

State before arrival;

- (f) when implementing the repatriation plan, the shipowner, ship manager and the master shall make all the effort to cooperate with local port administrations. The measures shall include the fixture of flight in advance, complying with quarantine requirements of both departure and destination countries, etc. Please also refer to IMO Circular Letter No.4204/Add.14, Coronavirus (COVID-19) – Recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic; and
- (g) all supporting documents, justifications and records relating to the above shall be properly kept and must be provided to the HKMD or port authorities upon request.

Should you have any question, please feel free to contact the undersigned on Tel: (852) 2852 4383, Fax: (852) 2545 4669, or email: mmo_mdd@mardep.gov.hk.

Yours faithfully,

No signature on website copy
(Z.J. Kuang)
Mercantile Marine Office
for Director of Marine

c.c.: Hong Kong Shipowners Association
Hong Kong Seamen's Union
Merchant Navy Officers' Guild
Amalgamated Union of Seafarers, H.K

Enclosure:

1. Record of Sea Services and Seafarers' Employment Agreement (SEA) under Covid-19 (excel format)
2. Circular Letter No.4204/Add.14, Coronavirus (COVID-19) – Recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic