

# Insights and Commentary from Dentons

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**NIGERIAN MARITIME ADMINISTRATION AND SAFETY AGENCY, ISSUES MARINE NOTICE ON COVID-19**



On 30<sup>th</sup> March 2020, the Nigerian Maritime Administration and Safety Agency (“NIMASA”) in view of the COVID-19 pandemic, issued a Marine Notice<sup>1</sup> to all Ship Owners, Ship Operators, Masters of Ships, Ship Agents, Shipping Companies and Maritime Stakeholders (“Notice”). The Notice is meant to offer guidance to support all types of ships that operate in the Nigerian maritime domain and to assist shipping companies and all maritime stakeholders in observing the directives and advice provided by United Nations agencies – including the World Health Organization (WHO), the International Maritime Organization and the International Labour Organization, as well as the Nigeria Center for Disease Control (NCDC).

The Notice provides as follows:

- a) All maritime stakeholders shall develop risk assessments and safety intervention guidelines for their personnel and operations on the areas of [vulnerabilities] of their

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<sup>1</sup> MN 03/20/SN01

maritime operations that can be affected by the COVID 19 pandemic including, but not limited to, offshore operations such as crew/personnel changes, visits from onshore and other locations for provision of supplies, maintenance and repairs etc.

- b) All ongoing and/or other scheduled offshore operations requiring new crew or crew changes from affected countries, shall ensure that pre-departure tests for COVID 19 are conducted on such persons, and self-isolation procedures for the prescribed period are instituted for such new crew/personnel before exposure to other personnel.
- c) Only international marine vessels which had planned and informed of their call into a Nigerian port not later than 1<sup>st</sup> February, 2020 may be allowed to call on such port.
- d) Any international marine vessel or any member of its crew and/or passenger therein having a travel history of visiting any of the COVID-19 affected countries mentioned in the adjoining link (<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/situation-reports>) since 1<sup>st</sup> February, 2020; shall not be permitted to enter any Nigerian port till 31<sup>st</sup> March, 2020, and any further dates as may be reviewed from time to time.
- e) Only international marine vessels having thermal screening facilities for passenger and crew may be allowed on Nigerian ports.
- f) Shipping Agents/Master of vessels shall submit all documents related to crew and passengers regarding their travel to/from the COVID-19 affected countries.
- g) No sick passengers/crew shall be allowed to board any ship by the shipping agent and/or Master of vessel<sup>2</sup>.
- h) Updated information on COVID-19 shall be provided to each international marine vessel and should be as per guidelines of the Federal Ministry of Health and the NCDC.
- i) All passengers and crew members shall fill the Self Reporting Form as prescribed by Nigerian Port Health Authorities.
- j) A Port Health Officer (PHO) shall carry out thermal screening of all the passengers and crew members on board a ship and until clearance is given by the PHO, no passengers and/or crew members shall be allowed ashore.

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<sup>2</sup> The Notice does not specify the nature of the sickness.

- k) Port and or local hospitals shall assist the PHO by supplying additional doctors and medical staff and logistics etc.
- l) If any passengers and/or crew members show signs or symptoms of the disease, disembarking of such passengers/crew shall not be permitted.
- m) Such passenger shall be quarantined on the ship and samples of the patient shall be collected and sent to designated hospitals/labs for testing. If the tested sample is positive, the passenger shall be taken to the isolation facility attached to the port and the ship shall be required to cast off. If the tested sample is negative, the passengers and crew members may be allowed shore excursion. A declaration to follow this procedure shall be taken from all ships before they are allowed to enter the port.
- n) When seafarers' certificates expire and the need to renew arises within the prevalent condition in relation to COVID-19, a flexibility on a case by case basis would apply.
- o) Strict compliance with Port Health, Nigerian Immigration Service and National directors should be adhered to in relation to the issuance of shore-passes to local and international seafarers.
- p) Where a seafarer is confirmed to have contacted COVID-19, the Shipping Company, Agent or Crewing/Manning Company should report to NIMASA in addition to the submission of a daily situational report on actions taken.
- q) All marine vessels are required to take these special measures to prevent COVID-19 patients from boarding vessels which include but are not limited to the following:
  - i. Any cruise guests who have travelled through China, Hong Kong, Iran, South Korea and Italy and other affected countries (as defined by WHO in their daily reports <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/situation-reports>) in the past 14 days are automatically denied boarding by the marine vessel lines.
  - ii. Any person having contact with anyone within the last 14-days prior to travel who has travel history to mainland China, Hong Kong, Macau, Iran, South Korea, or Italy or any other affected countries is automatically denied boarding.
  - iii. Mandatory screenings shall be performed on persons with influenza like illnesses (ILIs) in boarding ports terminals.
  - iv. All guests onboard must fill out self-declaration health forms.
  - v. At the check-in counter of the boarding ports, the guests' passports are verified for any stamps from COVID-19 affected countries.

- vi. The passports are double checked by marine vessel personnel inside the terminal at boarding ports as a double measure to ensure prevention of boarding such crew.
- vii. All passports are also checked onboard by marine vessel staff alongside the Nigerian Immigration Officers for en-route clearance.
- viii. All ships shall be regularly sanitized.
- ix. All cruises shall carry out daily examination of all passengers for symptoms of COVID-19.
- x. All cruises shall have sufficiently oriented health staff with adequate logistics like masks, personal protection equipment etc. along with sufficient isolation beds where any crew/passenger suspects can be isolated in case of detection of any symptoms<sup>3</sup>.

The Director General of NIMASA, Bashir Jamoh said that the Notice was issued to further strengthen the safety guidelines to foreign vessels calling at Nigerian Ports in order to curb the spread of COVID-19.<sup>4</sup>

We believe that this is a welcome development as the guidelines are sure to contribute to the government's continued efforts to stop further spread of COVID-19 in Nigeria. The total number of confirmed COVID-19 cases reported in Nigeria as of 8 April 2020 is 276.<sup>5</sup>

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#### *Qualifications*

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<sup>3</sup> We are not aware that cruise ships currently ply Nigerian waters.

<sup>4</sup> Via Jamoh, Bashir (JamohBashir). "This morning as DG, NIMASA,@nimasaofficial issued a Marine Notice to further strengthen the Safety Guidelines to Foreign Vessels Calling at Nigerian Ports. We will continue to maintain vigilance over our waters to keep COVID-19 at bay. #AllhandsonDeck" 30 March 2020, 10:58am. Tweet.

<sup>5</sup> Via NCDC (NCDC.gov.ng). "Twenty-two new cases of #COVID19 have been reported in Nigeria; 15 in Lagos, 4 in the FCT, 2 in Bauchi and 1 in Edo. As at 8<sup>th</sup> April 2020 there are 276 confirmed cases of #COVID19 reported in Nigeria. Forty-four persons have been discharged with six deaths.