

The Japan Ship Owners' Mutual Protection & Indemnity Association

Date: 8th Oct 2020
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Re: Enhanced Quarantine Measures in Korea related to COVID-19(Submission of PCR Test)

Dear Sirs/Madams.

Please refer to the following for announcement on enhanced quarantine of the Korea Disease Control and Prevention Agency regarding COVID-19.

With reference to the strengthening of Port Quarantine, it is mandatory for vessels who have called one of countries subject to enhanced quarantine or Russia on or after 03rd Aug 2020 to submit PCR negative certificate issued at the designated hospital before the embarkation and within 48hrs prior to the departure for on-signers and/or crew who went ashore, but there have been some cases of non-submission and improper submission.

(As of 30th Aug 2020 at Busan Port basis, 42% (16 of 38) of subject vessels were non-submission or improper submission.)

Therefore, the Korea Disease Control and Prevention Agency announced that the following administrative order shall be given to vessels who fails to comply with PCR negative certificate submission.

- Matter of Violation
 - Submission of improper PCR negative certificate
 - Non-submission of PCR negative certificate and forgery/alteration of certificate
(Example of improper PCR negative certificate – issued at non-designated hospital
/ not issued within 48hrs prior to the departure)
- (Punishment) Penal Servitude up to 1 year or Fine not exceeding KRW10,000,000
- (Enforcement date) For vessels calling Korean Ports on or after 08th Sep 2020

In this regard, if the vessel has called one of following countries and there are any on-signer and/or shore leave after 03rd Aug, PCR negative certificate is required for on-signers and/or crew who went ashore.

- 7 countries - Russia, Pakistan, Bangladesh, Kazakhstan, Kyrgyzstan, Philippines, Uzbekistan
- PCR negative certificate should meet following conditions.

1. Must be issued by designated hospital.
2. Must be issued within 48hrs before ship's departure.
3. Must be issued before the embarkation.

Previously, if PCR certificate is not submitted, only crew disembarkation and/or shore leave was not permitted by Quarantine Office and there is no other administrative punishment against the vessel and/or the owners.

However, as of 08th Sep 2020, the administrative punishment will be imposed against the vessel and/or the owners for non-submission / forgery / not meeting the standard.

The administrative punishment will be given in accordance with Quarantine Act, Article 39 as follows:

Article 39 (Penalty Provisions)(1) Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won:

1. A person, the head of a means of transport, or the owner or manager of cargo which enters or departs from the Republic of Korea without undergoing a quarantine inspection under Article 6 (1);
2. A person who refuses, obstructs, and evades a request for documents provided for in Article 12 (3) or submits or presents any falsified document;
3. A person who fails to take measures ordered by the director of the quarantine station pursuant to Article 15 (1);
4. A person who fails to comply with the measure taken to isolate or quarantine him or her pursuant to Articles 16 (1) and 17 (1);
5. A person who divulges to another person any confidential information that he or she has learned in the course of performing business, in violation of Article 38.

Under joint penal provision against employer and employee, penalty amount will be KRW 20,000,000 per crew(KRW 10,000,000 for the owners and KRW 10,000,000 for the master).

The vessel who violated above regulation will be listed for "subject to entry permission for 6 months". Thus, the vessel needs to get the entry permission to call Korean Ports in the future for 6 months.

In this connection, if vessels are suspected to violation of Quarantine regulation and following measurements are expected by authorities.

- Quarantine

1. PCR test for all crew onboard will be conducted upon ship's arrival.
2. Before the result of test is available, no cargo operation is allowed.
3. If the result of test is positive,

3-1. The confirmed crew will be transferred to the hospital for the treatments.

3-2. All cost of medical treatments will be levied to crews.

3-3. The other crew are subject to be quarantined for 14 days onboard (even if they are negative) & no ship's activity will be allowed for 14 days.

3-4. There's possibility that the vessel's calling is not permitted and the vessel has to sail without any cargo OPS.

4. The administrative punishment will be given in accordance with Quarantine Act, Article 39 as stated above.

- Port Authority

The vessel who violated above regulation will be listed for "subject to entry permission for 6 month". Thus, the vessel needs to get the entry permission to call Korean Ports in the future for 6 month.

- Coast Guard

1. Investigation will be conducted for crew who doesn't submit the result of PCR test.
2. Cargo operation is allowed during the investigation if the vessel is cleared by quarantine side.
3. However, ship's departure is not allowed before the completion of the investigation.

In this regard, it is highly recommended for vessels or member to check the possible violation and to check the detailed information with local agents before ship's calling at Korean ports.

Eastern Shipping Co., Ltd



Room 301, Baeknam Bldg., 188-3, Eulchiro 1-ga, Chung-ku, Seoul, Korea
Tel : (2) 777-7911~5 / Fax : (2) 756-0280 / TLX : GG 94075975 SOPS G
Web : www.eashco.co.kr / E-mail : jpia-seoul@eashco.co.kr

