

COVID-19 Maritime Guidance

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NEW ZEALAND
CUSTOMS SERVICE
TE MANA ĀRAI O AOTEAROA

Te Whatu Ora
Health New Zealand



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Maritime Guidance – Post MBO Removal

Effective from 23:59 12 September 2022

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Introduction

This document has been prepared as guidance for maritime industry stakeholders, following the revocation of the Maritime Border Order and other Orders on 12 September 2022.

In total, five orders have been revoked, two amended, one retained, and a new order has been created. These are summarised in Appendix One.

This document highlights key changes made to ease current public health restrictions and move to more voluntary measures better suited to the current outbreak context within New Zealand. Its aim is to provide up to date COVID-19 maritime guidance for port operators, unions, agents, government officials and PHUs, with a focus on remaining requirements under New Zealand law, and best practice where no legislative requirements exist.

This guidance can be read alongside the Vessel Management Framework, which was developed initially for vessels with confirmed or suspected COVID-19 on board, but now provides guidance for vessels with any quarantinable disease on board. Although no longer *required* for ships with COVID-19 on board, many of the templates and the guidance detailing roles and responsibilities in the Vessel Management Framework (VMF) will be useful for those managing processes around vessels with confirmed or suspected COVID-19 on board. You can view the VMF document here: <https://www.customs.govt.nz/covid-19/maritime-border/>

The Maritime NZ website also contains specific guidance for cruise operators that reflects the latest settings. This guidance can be found at: <https://www.maritimenz.govt.nz/media/phfd5135/covid-19-requirements-cruise-return-guidelines.pdf>

Arriving in New Zealand

- All air arrivals (including ship crew) - must complete the New Zealand Traveller Declaration (NZTD) prior to departure for New Zealand.¹ NZTD is not required for those arriving by sea.
- Vaccination and post-arrival testing requirements have been **removed** for all international arrivals.²

Testing/isolation requirements

Maritime international arrivals on all vessels are encouraged to undertake a Rapid Antigen Test (RAT) upon arrival in New Zealand on day 0/1 and day 5/6.

For people testing positive for COVID-19, the 7-day isolation requirement remains in place.³

As such, positive cases should not disembark the ship, unless leaving for essential permitted movement; or to move to another place of self-isolation; or to undertake an essential task on or immediately adjacent to, that ship. (More information below).

Household contacts of COVID-19 cases are no longer required to self-isolate.

Household contacts are recommended to take a Rapid Antigen Tests (RATs) every day for five days after becoming a household contact.⁴ If testing positive during that period, they are required to self-isolate for 7 days.⁵

In keeping with community settings, there is no mandatory requirement to report RAT results.

PCR follow-up testing is encouraged if it's feasible to do so. Positive cases should tell testing staff they have recently arrived from overseas. This recommendation does not extend to cruise ship passengers.

Arrivals via the maritime border – process and compliance

Sharing information: The Extended Notice of Arrival form ceases to exist. The Advanced Notice of Arrival (ANOA) is still required to be submitted no less than 48 hours before arrival in NZ territorial waters.

¹ The information air travellers must provide is to be used for COVID-19 contact tracing purposes only. COVID-19 Public Health Response (Air Border) Order 2021

² The requirements for air travellers to not exhibit COVID-19 symptoms and not be subject to a public health direction in another country have also been removed.

³ Clause 7, COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

⁴ Cases with an onset of COVID-19 infection within the last 28 days, are not considered household contacts and are not recommended to test.

⁵ Clause 8, COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

Health Act requirements: It is the duty of the master of the ship to notify the Medical Officer of Health (MOoH) of the existence of a disease suspected to be a notifiable infectious disease under the [Health Act 1956 s.76](#), even if pratique has been granted.

Notification can be done via email, SITREP or via the Maritime Declaration of Health Form.

[Health Act 1956 s.106](#) is a default control that applies to any ship travelling between NZ ports with COVID-19 cases onboard. In effect it means the master cannot moor or berth a ship at any place, except a place of inspection, **unless** instructed by a MOoH or Health Protection Office (HPO). The expectation is that Health Act powers would be used proactively for this requirement to facilitate efficient vessel movement, i.e. only in extreme circumstances would powers not be used to instruct an alternative location for berthing or mooring.

Household contact testing: Household contacts no longer need to isolate but are recommended to do a Rapid Antigen Test (RAT) every day for 5 days after becoming a household contact. NZ Customs will provide the required number of RATs for the household contacts if requested, namely five RATs⁶ per person for all crew/passengers onboard.

Requesting RATs: NZ Customs will provide RATs when requested, but only until current stocks last. Once Customs stocks are depleted, shipping lines and agents will be responsible for the provision of RATs if they are required.

To request RAT tests, vessel agents or vessel masters can email RATS@Customs.govt.nz with the following details:

- NZ Port for Delivery (we would prefer this to be first so we can quickly triage and allocate to the correct port)
- Vessel Name
- Time/Date required
- Vessel Berth
- Number of people requiring RATs
- Reason RATs are required i.e. symptomatic crew or household contacts
- Local agent name and contact phone number
- Delivery to place or person (bottom of gangway/or location).

Note: NZ Customs will advise vessel agents once stocks are no longer available via this process.

Exceptions for COVID-19 positive self-isolating crew/passengers

There are some exceptions that apply to the general self-isolation requirements for COVID-19 positive crew or passengers on board a ship.

These exceptions allow for:

⁶ The accompanying A5 information flyer must be removed and a new one will be made available.

- a health professional to determine that a person who has returned a positive RAT or PCR is not a COVID-19 case where they are determined to be an historical case or no longer infectious or where the original result was a false positive.⁷
- an isolating crew member to disembark the ship to undertake essential permitted movement,⁸ do an essential task,⁹ or to move to another place of isolation and quarantine¹⁰
- an authorised person to enter the ship where crew are self-isolating to undertake necessary tasks.¹¹

Reasons for crew/passengers to disembark a ship when self-isolating

A self-isolating COVID-19 positive case may disembark a ship (place of isolation) for the following reasons:

(A) Essential permitted movement

Covid-19 cases are permitted to leave their place of self-isolation to undertake essential permitted movement. A full list of essential permitted movements can be found under clause 13 of the COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

When undertaking essential permitted movement, the COVID-19 case must wear a face covering at all times (except when exercising) and they must return directly to their place of isolation after completing that essential permitted movement.

(B) to move to another place of self-isolation

Covid-19 cases who are isolating on a ship (other than a cruise ship¹²) are permitted to leave and move to another place of self-isolation that is not ship.¹³

A COVID-19 case whose place of self-isolation is a cabin on a cruise ship is permitted to leave their place of self-isolation to move to another place of self-isolation that is not a ship.¹⁴

Transport of COVID-19 positive crew/passengers will be at the management and cost of the vessel agent, cruise operator, or person being transported. Private/commercial transport can be used provided that the relevant person is meticulous in meeting the following conditions:

- the correct use of their face covering;
- distancing from others to the maximum extent possible; and
- robust hand hygiene.

For cargo/fishing vessels

⁷ Part 1, Clause 7(2) COVID-19 Public Health Response (Self-isolation Requirements) Order 2022

⁸ Clause 13, COVID-19 Public Health Response (Self-isolation Requirements) Order 2022

⁹ It is the expectation that the master will decide if the crew member (having tested negative or positive) is well enough to undertake essential tasks with precautionary measures in place.

¹⁰ Clause 13A COVID-19 Public Health Response (Self-isolation Requirements) Order 2022

¹¹ Clause 10(c), [COVID-19 Public Health Response \(Self-isolation Requirements\) Order 2022](#)

¹² Cruise ship means a ship operated by a cruise line for an international cruise as part of its international cruise business.

¹³ Clause 13A(1)(a), COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

¹⁴ Clause 13A(1A) COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

It is the shipping agent's responsibility to arrange any alternative accommodation that is safe and suitable for isolation purposes in the community. Shipping agents can:

- a. source their own alternative accommodation providers. Agents will be advised to let the provider know that the accommodation is for a COVID-19 positive person; or
- b. use the motels signed up to the National Alternative Accommodation Service (NAAS) list of facilities that provide self-contained accommodation for COVID-19 positive people. When the NAAS reserved accommodation is not available for use, the other rooms within these motels can be booked if available. Agents can book directly on a pay-per-use basis.
- c. If efforts have been made (and can be evidenced) to secure the above two options and still the shipping agent is unsuccessful in securing alternative accommodation, they may contact (with support from the local Public Health Unit) the local Care in the Community Hub SIQ coordinator. These coordinators will work with the shipping agents and crew to secure alternative accommodation, at the shipping agent's expense.

For crew/passengers on cruise vessels

Moving to a new place of self-isolation off the ship should not be promoted or encouraged. If required, alternative accommodation should be secured by either the passenger or the cruise operator prior to the passenger(s) disembarking. And they should let the provider know that the accommodation is for a COVID-19 positive person.

(C) to undertake an essential task

COVID-19 cases who are isolating on a ship (other than a cruise ship¹⁵) are permitted to leave the ship when self-isolating to undertake an essential task¹⁶ on, or immediately adjacent to, the ship. When disembarking a ship to undertake an essential task, the positive case must take reasonable steps to minimise the risk of spreading COVID-19. This includes by remaining as close as is reasonably practicable to the ship; maintaining physical distancing from any person who did not arrive in New Zealand on the same ship; wearing PPE that is consistent with the guidance of the regulator of the maritime industry and following any directions of an enforcement officer.¹⁷

Authorised persons can enter a ship in isolation

A COVID-19 positive person must not permit anyone to enter their place of self-isolation except those designated under clause 10(1) of the Self-Isolation Order. This includes, but is not limited to, someone who needs to enter for contactless delivery of goods while wearing a mask; or to preserve or protect any person's life, health, safety, or property in an emergency; or to provide necessary medical services.¹⁸

However, if the COVID-19 positive person is isolating on a ship (that is not a cruise ship) and clause 10(1) of the Self-Isolation Order does not apply, the master can permit an authorised person or a crew member (who needs to board that ship) to enter the ship.¹⁹ A full list of authorised persons can

¹⁵ Cruise ship means a ship operated by a cruise line for an international cruise as part of its international cruise business.

¹⁶ Essential tasks include but are not limited to: loading and unloading cargo from the ship; maintaining the ship; undertaking safety checks on the ship; undertaking necessary preparations of the ship (for example, rigging gangways). Clause 13A(4), COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

¹⁷ Clause 13A(3), COVID-19 Public Health Response (Self-isolation Requirements) Order 2022.

¹⁸ Clause 10(1), [COVID-19 Public Health Response \(Self-isolation Requirements\) Order 2022](#).

¹⁹ Clause 10(1A), [COVID-19 Public Health Response \(Self-isolation Requirements\) Order 2022](#).

be found under clause 5 of the [COVID-19 Public Health Response \(Self-isolation Requirements and Permitted Work\) Order 2022](#).

Note: crew isolating on a ship are not required to wear PPE (unless disembarking for essential work; essential permitted movement; or to move to another place of self-isolation). This means that authorised persons boarding a ship in isolation will need to take care to wear appropriate PPE as required.

Managing COVID-19 Outbreaks

In the first instance, COVID-19 onboard a vessel should be managed under the remaining domestic settings, i.e. self-isolation if testing positive; mask wearing; and encouraged to test if symptomatic.

In addition, cruise operators have responsibility for managing COVID-19 outbreaks under their requirements for duty of care to passengers and crew. All cruise vessels should have access to infection prevention and control expertise and have COVID-19 safety and outbreak management plans in place.

If an extreme situation arose,²⁰ and it was considered that the risk to public health could not be sufficiently managed, a MOoH or HPO may exercise their powers under the Health Act 1956.

The Vessel Management Framework

As noted earlier, the Vessel Management Framework provides an approach for vessels with suspected or confirmed cases of COVID including:

- A roles and responsibilities overview
- A process map for managing vessels liable for quarantine (which would be for a notifiable disease other than COVID-19)
- Templates for cargo operations, including infection prevention controls and PPE guidance
- A template for pilotage.

We encourage you to refer to these document for best practice approaches to minimising risk and managing positive cases. If a PCBU determines it necessary (taking into account the public health risk assessment), and it can be done safely, the plans covered above could be implemented more widely (including onto domestic vessels) to ensure crew safety, and to build stability across the ports and supply chain as New Zealand continues its economic recovery phase.

Ongoing PCBU responsibilities for Health and Safety at Work

As government settings reduce and change, we do remind you that the Health and Safety at Work Act 2015 requires PCBUs to do everything practicable to safeguard the health and safety of workers

²⁰ For example, hundreds of cases onboard a vessel and limited capacity to manage the outbreak onboard.

and others in the workplace. Furthermore PCBUs should ensure they have appropriate COVID-19 policies and procedures in place to reflect the different COVID-19 risks at the maritime border.

By performing a risk assessment, businesses can evaluate the potential impacts that COVID-19 may have on their business and how to mitigate them. For more information on managing COVID-19 as a health and safety risk under HSWA please see the WorkSafe, MNZ and MBIE websites below for guidance:

- [Health and Safety - Maritime NZ](#) (MNZ)
 - [Novel coronavirus \(COVID-19\) | WorkSafe](#) (WorkSafe)
 - [Employment New Zealand](#) (MBIE)
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Appendix A – Changes to COVID-19 Orders

Category	Name	Description	Outcome
Border	<i>COVID-19 Public Health Response (Maritime Border) Order (No 2) 2020</i>	Sets requirements for people arriving in New Zealand by sea.	Revoked
Vaccination	<i>COVID-19 Public Health Response (Vaccinations) Order 2021</i>	Requires that certain work may only be carried out by persons who are vaccinated against COVID-19.	Revoked
Isolation and Quarantine	<i>COVID-19 Public Health Response (Isolation and Quarantine) Order 2020</i>	Sets requirements for certain individuals to be isolated or quarantined in a MIQF, or to self-isolate in certain circumstances. Restricts access to MIQF.	Revoked
Testing	<i>COVID-19 Public Health Response (Testing for COVID-19) Order 2022</i>	Provides for the Director-General to specify certain matters relating to COVID-19 tests for individuals who are required to undertake a test under another Order.	Revoked
COVID-19 Protection Framework	<i>COVID-19 Public Health Response (Protection Framework) Order 2021</i>	Sets population level requirements under the COVID-19 Protection Framework, such as face covering requirements, capacity limits on certain venues and physical distancing requirements.	Revoked
Isolation and Quarantine	<i>COVID-19 Public Health Response (Self-isolation Requirements and Permitted Work) Order 2022</i>	Sets self-isolation requirements for COVID-19 cases in the community in New Zealand and sets testing requirements for these individuals.	Amendment
Border	<i>COVID-19 Public Health Response (Air Border) Order 2021</i>	Sets requirements for people arriving in New Zealand by air.	Amendment
Testing	<i>COVID-19 Public Health Response (Point-of-care Tests) Order 2021</i>	Restricts the importation, manufacture, sale, supply or use of point-of-care tests for COVID-19 by default and provides for the Director-General to authorise individuals or exempt classes of tests from this ban.	No change at this time
Face Mask Order	<i>Name TBC</i>	Specifies that masks must be used in certain healthcare settings, including aged residential care facilities.	New