

## Fujeirah Port Notice No. 03/2017- Disembarking Crew Due to Injury or Sickness

The recent notice issued by Fujeirah Port on 19. January 2017 needed a couple of clarifications for owners, agents, correspondents and clubs.

The notice as displayed by the club informs shipowners calling at Fujeirah Port that in case of disembarkation of a sick crew member the ship is not allowed to leave the port without this crew member or after his repatriation and also that in relevant cases the police needs to be informed and police investigation needs to be carried out before the vessel leaves.

The Harbour Master Capt. Tamer Masoud clarified this notice as follows.

This step was necessary to safeguard crew interest as there have been recurring instances where crew has been abandoned by shipowners or vessels have left the Port after crew has been disembarked due to injuries and the police has expressed their intention of carrying out an investigation onboard. Therefore, on the onset the notice may seem like an interruption to regular business, however the intent is of course to protect crew interests.

Pertinent to the notice we had requested for the below clarifications:

1. If a crew member is disembarked due to a serious health condition, for eg: a heart attack, he may require hospitalization for a few days. In that case, will the vessel have to stay till he recovers or alternatively how can a ship owner ensure that they will arrange repatriation for him upon his recovery? Is a guarantee required by the Port?
2. In the event a Guarantee is required can it be given by the vessel agents? P&I Correspondents or directly from Owners?
3. Is the guarantee open ended or will it be a financial guarantee for a certain sum? Will that sum be specified?
4. Who will be accepting such a guarantee and how long would clearance of the vessel take for the process of submission of guarantee and approval?

*As advised by Capt. Tamer Masoud, the notice is specifically for crew disembarking the vessel on serious medical grounds and may require hospitalization. Visit to the doctor for minor medical matters does not require intimation to the Port officials. In the event a crew member, due to his sickness needs to be hospitalized, the vessel will only be allowed to leave once the crew member has secured a medical visa. The vessel in question will therefore have to remain at anchorage till such time Fujairah Port has reviewed the matter and are convinced of the repatriation procedures are in place. There are no acceptable guarantees, monetary or otherwise and the Port will review each matter on a case-by-case basis.*

The second part of the notice speaks of crew injury, either voluntary or involuntary. Here the notice states that police authorities need to be informed and vessel can sail only after obtaining clearance from police GHQ. Here, is the process similar to clearances required if there is a death onboard? Does the hospital have to issue a medical report and on that basis together with the crew statement would the Police GHQ clear the vessel?

*As advised by Capt. Tamer Masoud, this is similar to the requirements when a death happens onboard and vessels who need to disembark crew due to injuries, will require a Police clearance. An investigation onboard is not always necessary and will be on the discretion of the Police. Port clearance will only be obtainable once the Police has given a clearance to the vessel and the crew.*

Hope the above is of assistance and if you do have any further queries or would require any assistance I would be glad to assist.

Look forward to hearing from you!

Best Regards,  
**Jasamin Fichte**  
Managing Partner