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MARITIME AND PORT AUTHORITY OF SINGAPORE ACT (CHAPTER 170A)

MARITIME AND PORT AUTHORITY OF SINGAPORE (PORT) (AMENDMENT) REGULATIONS 2021

In exercise of the powers conferred by section 41 of the Maritime and Port Authority of Singapore Act, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, makes the following Regulations:

Citation and commencement

1. These Regulations are the Maritime and Port Authority of Singapore (Port) (Amendment) Regulations 2021 and come into operation on 15 January 2021.

Amendment of regulation 61

2. Regulation 61(2) of the Maritime and Port Authority of Singapore (Port) Regulations (Rg 7) (called in these Regulations the principal Regulations) is amended by deleting sub-paragraph (a).

New regulations 61A, 61B and 61C

3. The principal Regulations are amended by inserting, immediately after regulation 61 in Part XIV, the following regulations:

“Waterfront facility from which shore-based personnel depart

61A.—(1) A person who has the possession and management of any waterfront facility from which any shore-based personnel may leave, by harbour craft, to board a relevant vessel within the port must not allow an individual to so leave the waterfront facility in order to board that relevant vessel if the person knows,

or ought reasonably to know, that the individual is shore-based personnel and —

- (a) the person knows, or ought reasonably to know, that the individual —
 - (i) has a specified symptom or is otherwise physically unwell; or
 - (ii) does not have such proof of the individual's health and unlikelihood of the individual's exposure to infectious diseases as the Port Master requires as to be necessary to ensure the health and safety of the passengers and members of the crew of the relevant vessel; or
- (b) the person intentionally or negligently does not inspect or otherwise ascertain whether the individual —
 - (i) has a specified symptom or is otherwise physically unwell; or
 - (ii) has proof of the individual's health and unlikelihood of the individual's exposure to infectious diseases as the Port Master requires as to be necessary to ensure the health and safety of the passengers and members of the crew of the relevant vessel.

(2) A person who has the possession and management of any waterfront facility from which a shore-based personnel may leave, by harbour craft, to board a relevant vessel within the port must, as far as is reasonably practicable, establish and apply appropriate procedures and controls (jointly with another or otherwise) that enable or facilitate contact tracing of every shore-based personnel who so leaves the waterfront facility in order to board that relevant vessel.

Boarding of vessels by shore-based personnel

61B.—(1) Despite the consent of the master of a relevant vessel within the port, an individual who is a shore-based

personnel must not intentionally board the relevant vessel if the individual —

- (a) has any specified symptom or is otherwise physically unwell;
- (b) knows that he or she does not have such proof of his or her health and unlikelihood of his or her exposure to infectious diseases as the Port Master requires as to be necessary to ensure the health and safety of the passengers and members of the crew of the relevant vessel; or
- (c) knowingly or negligently failed, before boarding the relevant vessel, to comply with any procedure or measure that is published by the Port Master so as to enable or facilitate contact tracing of shore-based personnel.

(2) The owner, agent and master of a relevant vessel within the port must not intentionally or negligently allow an individual who is a shore-based personnel to board the relevant vessel if the individual —

- (a) exhibits any specified symptom or is visibly otherwise physically unwell; or
- (b) does not produce to the owner, agent or master such proof of the individual's health and unlikelihood of the individual's exposure to infectious diseases as the Port Master requires as to be necessary to ensure the health and safety of the passengers and members of the crew of the relevant vessel.

(3) The owner, agent and master of a relevant vessel within the port must take the following measures when any shore-based personnel is on board the relevant vessel:

- (a) as far as is reasonably practicable, minimise physical interaction between the shore-based personnel and any of the passengers and members of the crew of the relevant vessel on board;

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- (b) establish and apply procedures and adequate controls to comply with any procedures and measures that are published by the Port Master so as —
- (i) to enable or facilitate contact tracing of every shore-based personnel boarding the relevant vessel when within the port;
 - (ii) to manage and control the significant risks to the incidence and transmission of any infectious disease in the community in Singapore associated with shore-based personnel boarding relevant vessels for work or at work on relevant vessels and returning to the community; or
 - (iii) to ensure the health and safety of the passengers and members of the crew of the vessel on board.

(4) An individual who is a shore-based personnel must, after boarding a relevant vessel and when on board the relevant vessel —

- (a) as far as is reasonably practicable, minimise physical interaction between himself or herself and any of the passengers and members of the crew of the vessel on board;
- (b) as far as is reasonably practicable, ensure that there is a distance of at least one metre between himself or herself and any other individual on board;
- (c) wear an appropriate level of personal protection equipment when he or she is carrying out his or her duties as a shore-based personnel on board;
- (d) not remain on board for a longer period than necessary to discharge his or her duties as a shore-based personnel, and not in any case stay on board overnight;
- (e) not consume any food or drink from the ships' stores;

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- (f) not convene or take part in any gathering when on board except where necessary or in the course of the performance of his or her duties as a shore-based personnel; and
 - (g) comply with any other appropriate procedures and measures that are published by the Port Master so as —
 - (i) to manage and control the significant risks to the incidence and transmission of any infectious disease in the community in Singapore associated with shore-based personnel boarding relevant vessels for work or at work on relevant vessels and returning to the community; and
 - (ii) to ensure the health and safety of the passengers and members of the crew of the vessel on board.

Supplementary interpretive provisions

61C.—(1) In regulations 61A and 61B, unless the context otherwise requires —

“contact tracing” means the process of identifying individuals who have been in contact with an individual who has an infectious disease;

“member of the crew of a vessel” means an individual employed or engaged in any capacity on board the vessel but does not include an individual temporarily employed on board when the vessel is in a port;

“relevant vessel” means a vessel that is not exhibiting the appropriate quarantine signals;

“shore-based personnel”, in relation to a relevant vessel, means an individual who is not a passenger or a member of the crew of the vessel and —

- (a) is delivering goods or performing services connected to the business of the vessel;

(b) is providing any service to any passenger or member of the crew of the vessel on board the vessel; or

(c) is effecting the arrest or detention of a vessel or service of any other legal process,

whether or not a contractor or an employee or agent of the owner or agent of the relevant vessel;

“specified symptom” means any of the following symptoms:

(a) coughing;

(b) sneezing;

(c) breathlessness;

(d) a runny nose;

(e) loss of sense of smell or anosmia.

(2) Regulations 61A and 61B do not apply to prevent or restrict —

(a) the Government or any public body doing or omitting to do anything in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law; or

(b) any individual acting under the authority or direction of the Government or any public body in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law.”.

Amendment of regulation 78

4. Regulation 78 of the principal Regulations is amended —

(a) by deleting the words “61(1), (2) or (3),” in paragraph (b);
and

(b) by renumbering the regulation as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:

“(2) Any person who contravenes regulation 61(1), (2) or (3), 61A(1) or (2), or 61B(1), (2), (3) or (4) shall be guilty of an offence and shall be liable on conviction —

(a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 months or to both; and

(b) in the case of a second or subsequent offence, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 6 months or to both.”.

*[G.N. Nos. S 215/2004; S 661/2004; S 26/2005;
S 472/2005; S 679/2011; S 172/2012; S 334/2015;
S 518/2017; S 109/2018; S 860/2018; S 302/2019;
S 479/2020]*

Made on 11 January 2021.

NIAM CHIANG MENG
*Chairman,
Maritime and Port Authority of
Singapore.*

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