

Amendments to Rules 2021 – Diversion expenses

As a consequence of the global Covid-19 pandemic, some ports have refused to permit ships to transfer the bodies of deceased seafarers to shore for the purpose of repatriation to their home domiciles, as many ports now apply a more restrictive policy, particularly if the cause of death is, or believed to be, infection by Covid-19. This has led to the unfortunate and challenging situation for shipowners of having to keep deceased crew on board for much longer than usual.

Rule 31 of the Rules for Ships and other Floating Structures (the “**Rules for Ships**”) and Rule 21 of the Rules for Mobile Offshore Units (the “**Rules for MOUs**”) and together with the Rules for Ships, the “**Rules**”) provide cover for certain extra costs for a diversion; however, the current wording does not include cover for a diversion for the purpose of enabling the repatriation of deceased crew members or other deceased persons on board.

To provide Members and their seafarers with the best possible support and cover in such circumstances, the Board of Directors of both Gard P. & I. (Bermuda) Ltd. and Assuranceforeningen Gard - gjensidig – (the “**Associations**”) have approved that insurance cover for the costs of diverting a ship for the purpose of enabling the repatriation of deceased crew members or other deceased persons on board, shall be granted retrospectively to all Members with effect as from 20 February 2021. This retrospective cover is subject to a duty for the Member concerned to consult with and obtain approval from the relevant Association for such diversion as early as possible.

Additionally, the Board of Directors of the Associations have authorised the Manager to amend the Rules to ensure that, going forward, insurance cover will include certain extra costs for diverting a ship for the purpose of enabling repatriation of deceased crew members or other deceased persons on board. The changes to the Rules are set out below and are effective from 1 July 2021.

RULES FOR SHIPS – P&I ENTRIES

The amended Rule 31 shall read as follows (amendment underlined):

Rule 31 Diversion expenses

The Association shall cover extra costs of fuel, insurance, wages, stores, provisions and port charges attributable to a diversion, over and above the costs that would have been incurred but for the diversion, where these are incurred solely for the purpose of securing treatment for an injured or sick person on board, or to transfer a deceased person on board to shore for repatriation, or for the purpose of searching for a person missing from the Ship, or necessarily incurred while awaiting a substitute for such person, or for the purpose of saving persons at sea.

RULES FOR MOU – P&I ENTRIES

The amended Rule 21 shall read as follows (amendment underlined):

Rule 21 Diversion expenses

The Association shall cover extra costs of fuel, insurance, wages, stores, provisions and port charges attributable to a diversion, over and above the costs that would have been incurred but for the diversion, where these are incurred solely for the purpose of securing treatment for an injured or sick person on board, or to transfer a deceased person on board to shore for repatriation, or for the purpose of searching for a person missing from the Vessel, or necessarily incurred while awaiting a substitute for such person, or for the purpose of saving persons at sea.

If you have any questions, please contact [Ingvild Høgenes Nilsen](#) or [Tore Svinøy](#), Gard, Arendal.

Yours faithfully,
GARD AS



Rolf Thore Roppestad
Chief Executive Officer