

FLAG STATE REQUIREMENTS SUMMARY



PANAMA
OCTOBER 2023



THE COMPANY

OBJECTIVES

The objective of this document is to provide QRS surveyors and staff with the specific requirements, instructions, clarifications, etc., issued by the Flag State Administration (FSA) of the flag in reference, in order to assist them in carrying out the necessary surveys and issue the relevant Interim/Short Term Certificates as authorized, or proceed with the endorsement of Full-Term Certificates, as the case may be. These requirements derive from the different Resolutions, Merchant Marine Circulars (MMC), and instructions that have been issued by the PMA.

This document is also a reference also for QRS HO for reviewing of technical documentation.

QRS will update this document as soon as possible after notification of changes in regulations through the amendment, issuance or cancellation of a MMC.

It should be noted that while QRS has strived to compile this set of references, and keep them updated, as best as possible, these should not be seen as an alternative to keeping knowledgeable of changing FSA requirements.



SCOPE

This procedure is applicable to all survey and certification activities carried out on behalf of the Flag State Administration of PANAMA.

DESCRIPTION OF REQUIREMENTS

- ❖ The official name to be placed in the certificates issued on behalf of the FSA is THE REPUBLIC OF PANAMA.
- ❖ Specific requirements, flag state guidelines, and interpretations are generally published as Merchant Marine Circulars (MMC), some of which are designated to carry the weight of rules and regulations. These are issued periodically and are available at **www.segumar.com**.
- ❖ All circulars that have not been modified, deleted, or cancelled shall be considered as valid.

The FSA has issued specific instructions of **Code for Recognized Organizations** (RO Code) in a single IMO mandatory instrument. Reference **MMC-307**

Pursuant to the RO Code, point 3.9.2.1.5, Recognized Organizations shall comply with the provisions stated in the following Merchant Marine Circulars:

- ❖ ISM / MLC / ISPS certification process:
 - MMC-176** “International Safety Management (ISM) Code Panama Policy”.
 - **MMC-388** “Revised Guidelines on the Implementation of the ISM Code by Administrations”.
 - **MMC-269** “Maritime Labour Convention 2006, Certification Process”.
 - **MMC-359** “Guidance for the implementation and certification of the ISPS Code”.
- ❖ In cases of ship detentions:
 - **MMC-380** “Measurements to Reduce PSC Detentions on Panamanian Vessels”.
 - **MMC-384** “Guidelines for appeals process against Port State Control deficiencies / detentions”.
- ❖ In case of Casualties:
 - **MMC-184** “Maritime Affairs & Casualty Investigation of Panama flagged vessels.”
- ❖ For monthly and quarterly transfer reports:
 - **MMC 324** “Control and Administrative Fees imposed by the Republic of Panama to the Technical Documents, Statutory Certificates issued, endorsements and approvals”.

Recognized Organizations not responsible for the SMC shall inform the ship Master / Company about deficiencies detected, which possibly affect the implementation of the SMS, and that the Administration shall be reported thereof so that the Recognized Organization responsible for the SMC is contacted to coordinate the corresponding actions.

In Reference to Statutory Certificates that are authorized, other than those pertaining to ISM, ISPS, MLC and ITC. These are Interim, Full-Term, Conditional, and Exemption. Further details are found in **MMC-156**, as it may be amended.

By virtue of ratification of the 1988 SOLAS and Load Line Protocols and the related amendments to MARPOL 73/78, Harmonized System of Survey and Certification (HSSC) is applicable to Panama-flagged vessels. MMC-152 provides extensive instructions and considerations from the FSA in connection with their interpretation and implementation of the HSSC.

MMC-71 provides a list of official documents that must be carried on board by Panama-flagged vessels. National Documents and Official Books are updated.

MMC-192, as amended, provides guidance on the concept of “Type Approvals” and “satisfaction of the Administration”, which may be used throughout applicable regulations, as it will be understood or applied by the FSA.

The FSA accepts the use of electronic record books on board vessels as Minimum Requirements to Bridge Logbook, Oil Record Book, Crew Roll Book and Instructions to manufacturers and vessels. Further details can be found on **MMC-193**.

CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE

Cargo Ships (other than Bulk Carriers and Oil Tankers) of up to 15 years of age may be authorized by SEGUMAR to have an in-water bottom survey on alternate periods (those concurrent with the intermediate survey). This can be extended, upon special consideration, to older vessels except tankers and bulk carriers. The period for bottom surveys may be extended as provided by SOLAS, further details are provided in **MMC-204**.

INNOVATE

CIRCULAR MMC-299.

Whole Merchant Marine Circular revised.

About requirements for Protective Coating to Dedicated Seawater Ballast Tanks on all types of Ships, and Double-Side Skin Spaces in Bulk Carriers (PSPC), the FSA position is that they shall apply to vessels for which a building contract signing date occurs on or after 1 July 2008. Only in the absence of a building contract the criteria of keel laid (1 January 2009) applies.

MMC-299 provides the applicable regulation to all cargo vessels of the Republic of Panama under 500 GRT holding an international Registry Certificate, aiming to achieve the highest levels of safety of life at sea and sea environment.

Furthermore, regardless of the date of building contract or keel laid, vessels delivered on or after 1 July 2012 must comply with PSPC requirements.



Nonetheless, provisions are in place to exempt vessels for which the delivery has been delayed beyond this date due to unforeseen circumstances, details are found in **MMC-246**.

CARGO SHIP SAFETY EQUIPMENT CERTIFICATE

AIS must be tested annually by qualified Radio Technician approved by the Administration or Recognized Organization. This test to be performed 3 months before or after the due date annual/periodical CEC survey, or up to 3 months before the due date of renewal survey. The report form to be left on board for perusal by competent authorities.

MMC-107 provides a complete list of all documents and records that must be carried on board by Panama-flagged vessels. This circular is complemented by **MMC-218** which gives details on the FSA requirements regarding the use of ECDIS.

The FSA has a scheme for approval of service providers for lifeboats, launching appliances and on-load release gear.

Service providers are to be recognized by the FSA to proceed,

and a list of such authorized providers is compiled in **MMC-258** and **MMC-250**

For the purposes of compliance of on-load release gear, the FSA will accept the evaluation carried out by other FSA on existing types of such gear, as per information released on GISIS.

Immersion suits to be provided for all persons on board, including the provision of child-sized suits



INNOVATE

CIRCULAR MMC-258.

October 2023 – Section 6 “List of Service Providers” Table 6.1 updated to include new authorized services providers.

CIRCULAR MMC-161

September 2023 - reference g) (MSC.1/Circ.1222/Rev.1 dated 14 June 2019 - amendments to the Guidelines on annual testing of Voyage Data Recorders (VDR) and simplified Voyage Data Recorders (S-VDR) and scope added. Point 3 amended (Background VDR and S-VDR)

STAY FOCUSED

CIRCULAR MMC-193

September 2023 – Included in the references, the Resolution J.D. No. 076-2021, 28 October 2021, amended by Resolution J.D. No. 055-2022 dated September 22, 2022, and IMO circular BWM.2/Circ.80.

New paragraph 4.4 for BWRB minimum requirements.

New paragraph 4.5.8 the fees for the License for the use of the Electronic Ballast Water Record Book. Footnote amended to clarify the Recognized Organizations which can issue the Declaration of MARPOL Electronic Record Book (as per IMO resolution MEPC 312(74)) and refer to Resolutions J.D. of fees for service delegated to Recognized Organizations as well as to the MMC-324.

whenever children are carried. In addition, two suits to be provided in every workstation. The suits for lifeboats may be kept in the cabins of the assigned personnel.



The MSC.1/Circular.1243 requests that the area where remotely located survival craft are stowed should be provided with an embarkation ladder or other means of embarkation enabling descent to the water in a controlled manner in accordance with SOLAS regulation III/11.7., while not specifying which other such means will be accepted; however, the alternate method chosen shall assure the safety of crewmembers at the time of its use. The approval of other means of embarkation, enabling descent to the water in a controlled manner on regards to life raft under regulation 31.1.4 Chapter III SOLAS amended, shall be carried out by Recognized Organizations, taking into consideration requirements, material, characteristics, and dimensions criteria.

Considering the special situation of crew boats, which by strict interpretation are passenger vessels (more than 12 passengers), but are small coastal craft not designed to comply with passenger ship regulations, the FSA has issued a set of guidelines for crew boat certification, contained in **MMC-167**.

When a Fire Control and Safety Plan is to be reissued to a vessel built prior to 1 January 2004, the symbols prescribed by IMO Resolution A.952 (23) are to be used.

EEBD's: Cargo ships to be provided with at least two sets in accommodation spaces, plus 1 spare. Regarding machinery spaces, one to be provided at the engine control room if located inside the machinery spaces; one to be provided at the machine shop or workshop area; one near the escape ladder used as secondary means of escape from machinery spaces; and one on each deck near the escape ladder if more the machinery spaces comprehend more than one deck.

MMC-281 provides detailed guidelines for Panama-flagged vessels to follow regarding Maintenance and Inspection of Fire-Protection Systems and Appliances. This includes but is not limited periodical (e.g. weekly, monthly, quarterly, etc.) tests and inspections of equipment such as fire pumps, fire extinguishers, fire doors, fixed fire-fighting systems, etc.

The FSA has issued a series of guidelines for the annual testing of VDR and S-VDR including Background, contained in **MMC-161**.

The FSA extends the implementation of Bridge Navigation Watch Alarm System (BNWAS) in accordance with the SOLAS amendments via the Res.MSC.350 (92) to vessels constructed prior to 1 July 2002. Generally, all BNWAS installed must conform to MSC. 128(75) and can be accepted without additional testing if type approved. The FSA may consider exemptions in cases where a BNWAS installed prior to 1 July 2011 does not comply with MSC. 128(75) if it complies with minimum requirements, QRS HO shall be contacted in such cases to coordinate details (**MMC-229**).

Administration grants a General Exemption from the requirements of SOLAS Ch. V, Reg. 15, 17, 18, 19, (except 19.2.1.7), 20, 22, 24, 25, 26, 27 and 28 to all ships without mechanical means of propulsion. This general exemption is effective from 1 July 2002, date of entry in force of Resolution MSC.99 (73).

The FSA has developed a regulatory scheme for the approval of the authorizations for voluntary use of electronic books on board of Panamanian vessels. Details to be found in **MMC-193** and the Compliance with Mandatory Ship Reporting Systems in **MMC-113**.

The FSA has issued guidelines for monitoring performance, maintenance, and testing of magnetic compasses. Most importantly for surveyors, the compass adjustment must be performed at least once a year, by a recognized (by Panama or other FSA) compass adjuster. Full guidelines are contained in **MMC-138**.

MMC-195 provides guidelines regarding LRIT, Conformance Test and Service Providers. All Conformance Tests Certificates issued after 1 January 2009 must be issued by the sole Recognized ASP, CONSORCIO ABSOLUTE MARITIME TRACKING SERVICES INC./POLESTAR SPACE APPLICATIONS LTD.



QRS surveyors must abstain from issuing the CEC on a vessel without valid Conformance Test Certificate and contact Head Office to follow Conditional Certificate issuance procedures.

All Panamanian registered vessels that deliberately deactivate the Long-Range Identification and Tracking Equipment (LRIT) or the Automatic Identification System (AIS) may be subject to be sanctioned.

CARGO SHIP SAFETY RADIO CERTIFICATE

When programming the EPIRB upon entering the Registry, a confirmation message shall be sent to the FSA, providing information regarding the vessel. See **MMC-112** for details.

Interim scheme (tonnage) is not applicable for GMDSS requirements. Vessels are to comply with GMDSS requirements based upon ITC69 gross tonnage.



INNOVATE

CIRCULAR MMC-169

September 2023 - This Merchant Marine Circular supersedes MMC-17, MMC-56 and MMC-111.

Depending on the vessel's trading area, if the relevant coastal states cannot provide service relevant to Sea Areas A1 and A2, the vessel shall be fitted as per Sea Area A3 requirements. If the vessel operates solely within the waters of a Coastal State, the vessel must comply with the Sea Area requirements of such State.

On vessels certified for GMDSS (Global Maritime Distress and Safety System), every watch standing Deck Officer serving on Panama must be in possession of an appropriate Panamanian (GMDSS) radio operator's certificate, i.e., Restricted Operator's Certificate (ROC) or General Operator's Certificate (GOC).

MMC-18 provides a list of documents required to be carried on GMDSS Ship Radio Stations

INTERNATIONAL LOAD LINE CERTIFICATE

The FSA accepts the issuance of Multiple Load Line Certificates. QRS HO to be contacted for instructions in this case. Procedures are outlined in **MMC-391**.

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

Ships carrying MARPOL Annex I cargoes, as defined in Appendix I to Annex I of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, and marine fuel oils shall be provided with a material safety data sheet prior to loading of such cargoes based on the recommendations of Resolution MSC.286(86).



in the best practice guidelines for STS operations identified by the Organizations (IMO's "Manual on Oil Pollution, Section I, Prevention" as amended, and the ICS and OCIMF "Ship-to-ship Transfer Guide, Petroleum", fourth edition, 2005).

When conducting IOPPC surveys, the surveyor may take into consideration the guidelines set forth by the Administration in connection with the upkeep of the Oil Record and Emissions Book, as set out in **MMC-215** as amended. Oil tankers of less than 150 GT shall also carry a Panamanian Official Oil Record and Emissions Book. Details on applicability are found in MMC-215.

Panama has issued a series of procedures for implementation of Condition Assessment Scheme.

MMC-203 is to provide the guidelines Material Safety Data Sheet (MSDS) for ships carrying oil or oil fuel, applies to all ships carrying oil or oil fuel, as defined in MARPOL Annex I, Regulation 1, prior to the loading of such oil as cargo in bulk or bunkering of oil fuel.

INNOVATE

CIRCULAR MMC-177

October 2023 – CANCELLED by MMC 215

STAY FOCUSED

CIRCULAR MMC-215

October 2023 Paragraphs 5.6.4 and 5.6.5 amended and including paragraphs 5.8 references to requirements for oil tankers of less than 150 gross tonnage. Replaces **MMC-177**.

All Ship-to-Ship Operations Plans are to be approved by a recognized organization authorized to issue the IOPPC and must be developed taking into account the information contained

INTERNATIONAL POLLUTION PREVENTION CERTIFICATE FOR THE CARRIAGE OF NOXIOUS LIQUID SUBSTANCES IN BULK

The FSA supports the exemption provisions of Regulation 4.1.3 of Annex II of MARPOL, regarding chemical tankers fully in compliance with the IBC Code and MARPOL Annex II to carry individually listed vegetable oils. Procedure is listed in **MMC-147** and **MMC-200**, at 2021 have a revision of the IBC/BCH Code and MARPOL 73/78 Annex II.

INTERNATIONAL AIR POLLUTION PREVENTION CERTIFICATE

All tankers of 400 GT and above carrying crude oil shall implement a Volatile Organic Compound (VOC) Management Plan developed in accordance with MEPC 185(69). This plan is to be reviewed and approved by a RO on behalf of the Administration.

For ships bunkering within the territorial waters of the Republic of Panama, bunkers samples should be obtained at the supplier's manifold and should be drawn continuously throughout the delivery period of the bunker operation.

INTERNATIONAL MARITIME SOLID BULK CARGOES CERTIFICATE (IMSBC)

The FSA adopted the IMSBC Code as adopted by IMO Resolution MSC.462(101) on 13 June 2019 which will be enter into force on 01 January 2021. **MMC-214**, provides the mandatory Implementation of the Amendments to the IMSBC Code.

The Lists of solid bulk cargoes for which a fixed gas fire extinguishing system may be exempted or for which a fixed gas fire extinguishing system is ineffective (MSC.1/Circ.1395/Rev.4 dated on 13 June 2019, and its subsequent amendments), with the purpose to update the requirements and cargoes eligible to exemption under the provisions of SOLAS Regulation II-2/10.7.1.4.



HARMFUL ANTI-FOULING SYSTEMS ON SHIPS



The FSA has adopted the AFS Convention in September 2007. The IMO adopted through Resolution MEPC.331(76) of 17 June 2021 the amendments to AFS Convention, Annexes 1 and 4 regarding controls on cybutryne and the form of the International Anti-fouling System Certificate. The said amendments enter into force on 1 January 2023.

MMC-157 Instruction to interested parties, that ships have a valid International Anti-fouling System Certificate on board not later than 24 months after the entry into force of the amendments to Annex 1 to the AFS Convention (1 January 2025).

INTERNATIONAL SAFETY MANAGEMENT CODE – DOCUMENT OF COMPLIANCE AND SAFETY MANAGEMENT CERTIFICATE

Companies to use the IACS publication “A GUIDE TO RISK ASSESSMENT IN SHIP OPERATIONS” regarding complying with Clause 1.2.2.2. Such guide to be used by the RO when verifying compliance.

All Company Operators shall send to SEGUMAR the Declaration of Company (DC) for the Company Operator as per ISM Code 3.1 and the Declaration of DPA (DPA), for endorsement. During initial, renewal, annual, and intermediate verifications, the surveyor must verify that the DC and DPA have been endorsed by the FSA.

INNOVATE

CIRCULAR MMC-177 October 2023 – CANCELLED by MMC 215
CIRCULAR MMC-161

CIRCULAR MMC-160 September 2023 – CANCELLED

STAY FOCUSED

CIRCULAR MMC-176
September 2023 – Merge of Merchant Marine Circulars 95, 97, 100, 115, 160, 176, and 213.

MMC-388 provides a summary of the principal aspects of the Revised Guidelines on the Implementation of the ISM Code by Administrations (Resolution A.1118(30), as applicable for companies and vessels flying Panama flag, aiming to serve of a brief orientation for all interested parties.



The FSA indicates that the exceptional circumstances that may cause an internal audit delay for up to 3-months are defined by the Company. No special authorization required from the flag. Prior to a RO proceeding with an Additional Verification, authorization must be granted by the FSA, through QRS Head Office. Procedures are described in **MMC-176**.

Vessels are obliged to send the corrections of deficiencies corrections of deficiencies raised due to an Annual Safety Inspections within the next 30 days, as it is stated on the ASI Form, Page No. 8 to using the form included in **MMC-201**. The correction of deficiencies shall be sent by the DPA, Operators/Owners using the <https://panamashipregistry.com/wp-content/uploads/2023/05/F-27-Monitoring-and-correction-form.xls> for Monitoring and Correction of Deficiencies Form. The SMS shall include a procedure covering this matter.

The Company is required to report immediately to the FSA all PSC inspections, as well as the details of the correction of all deficiencies noted. SMS procedures shall cover this matter, as outlined in **MMC-380**. Said MMC also outlines procedures to follow concerning ISM audits requested by PSC or due to PSC incidents.

Mobil Offshore Drilling Units (MODU's) shall be subject to Annual Safety Inspections (ASI's)

MMC-398 provides a checklist has drawn up, to assist Ship-Owners, operators, technical managers, Designated Persons Ashore (DPA) and vessel Master's to find weak items that can results as a ground for detention through Port State Control Inspections by PARIS MOU.

The checklist must be sent ninety-six hours (96hrs) before the vessel arrives to PARIS MOU ports, to the following email address: psc@amp.gob.pa.

Publications and Documents that must be carried on board non-self-propelled MODU's certified under the MODU Code are listed in **MMC-108**.

INTERNATIONAL SHIP AND PORT FACILITY SECURITY CODE ISPS – ISSC AND RELATED DOCUMENTATION

Application for CSR must be made immediately after registration or cancellation from the Panamanian Registry. The CSR may be obtained online through the link <http://certificates.amp.gob.pa/certificates>. The printed applications forms (signed and stamped by the Master, shipowner or applicant) must be



maintained on board the vessel at all times. Detailed procedures on application for and issuance of the CSR are found in **MMC-183** and **MMC-123**.

The SSO must receive formal training in the elements of Part B, Section 13.1, and specific Company training in the elements of Part B, Section 13.2 of the Code. In addition, the SSO must be a management level officer (i.e., Master, Chief Mate, Chief Engineer, and Second Engineer only). Panamanian flagged vessel operating in coastal voyage of single coastal state can request an exemption of the SSAS equipment in <http://certificates.amp.gob.pa/certificates> .

INNOVATE

CIRCULAR MMC-126 and 206
October 2023 – CANCELLED by
MMC 215

CIRCULAR MMC-359
Restructuration of all Circular.

STAY FOCUSED

CIRCULAR MMC-123
September 2023 – Inclusion in
paragraph 1 – This circular
supersedes the MMC-368 and
each paragraph has assigned a
number.

CIRCULAR MMC-183
September 2023 – This
Merchant Marine Circular
supersedes and compiles MMC-
240,
MMC-242, MMC-321, MMC-325,
MMC-377 and MMC-368; and
each paragraph has
assigned a number.

CIRCULAR MMC-245 October
2023 – Paragraph 4.1.4,
inclusion as 09/27/2023
MERIDIAN GLOBAL
CONSULTING

MMC-245 provides a list of approved Private Maritime Security Companies (PMCS) authorized by the FSA to serve as Privately Contracted Armed Security Personnel Onboard Panamanian flagged vessels transiting High Risk Areas. The use of such companies should be contemplated within the procedures of the SSP, if such services are required/needed.

MMC-133, SSAS must be configured to send a message to threat@amp.gob.pa , and a first test message should be sent through the use of the SSAS platform <https://polestarglobal.force.com/SSAS/login>, activity of which records should be verified by the RSO during the initial verification. Once a year, the test should be made and kept as part of records for subsequent verifications.

Any change of security level, or implementation of security measures on board a vessel is to be advised by e-mail to securitylevel@amp.gob.pa. Ideally, the SSP should include this requirement therein.

All Panamanian flagged vessels transiting through High-Risk Areas must raise their Security Level according to their Ship Security Plan.

The FSA considers the finding of a stowaway in a vessel a failure of the SSP security measures. If such a situation occurs, the FSA is to be informed and an additional verification must be conducted no later than 90 days from the security breach.

Guidance for the implementation and certification of the ISPS Code are included in **MMC-359**

INTERNATIONAL TONNAGE CERTIFICATE (ITC) , INTERNATIONAL TONNAGE CONVENTION, 1969 AND NATIONAL TONNAGE CERTIFICATE

Full term certificates are issued by the RO; however, they must be submitted to the FSA together with the required information supporting the determination of gross and net tonnages as well as the ship's drawings, in order to be validated. (Details found in **MMC-67**).



The issuance of certificates for vessels less than 24 m in length (as defined by International Tonnage Convention) is the sole prerogative of the FSA. Surveyors should contact QRS for instructions prior to

proceeding, in such cases. If possible, it is advisable to obtain the results of tonnage figures using the system currently in force prior to vessel registration, as calculations methods vary throughout the world.

For ships constructed (keel laid) prior to 18 July 1994 (if under 1600 GRT), or 31 December 1985 (if of 1600 GRT or above) may continue to use the original national tonnages issued for the purposes of application of existing international conventions. QRS HO to be contacted prior to proceed with Interim Certificate. MMC-107 provides a complete list of all documents and records that must be carried on board by Panama-flagged vessels. This circular is complemented by MMC-218 which gives details on the FSA requirements regarding the use of ECDICS.

MARITIME LABOR CONVENTION

The certification process is described in **MMC-269**. The DMLC Part I is issued by the FSA in digital format, upon receipt of a completed application form. The owner is to complete the Declaration Part II, which is then endorsed by the RO upon completion of the initial inspection. This DMCL Part II must include the vessel name, IMO number and gross tonnage.



Seafarer Recruitment and Placement Agencies wishing to provide crewing in significant numbers are to be recognized by the Panama Maritime Authority. In addition, when the Agency is based

in a country in which the MLC does not apply, the Owner/Operator shall keep the Agency's compliance Certificate in their records and have copies of the Seamen's Employment Agreement on board.

MMC 283. The purpose of this Circular is to inform to the users of the Panamanian Registry about the "Guide for ship-owners or ships operators who use seafarer recruitment and

placement services that are based in countries or territories in which the Maritime Labour Convention, 2006, as amended does not apply. Regulation 1.4. Number 3."

Vessels built after 20 August 2013 which do not comply with the requirements on Accommodation and Recreational Facilities laid out by MLC, Title 3, Regulation 3.1, Standard A3.1., Part A of the MLC Code, must apply for a relevant exemption certificate. When not in compliance with the requirements on Accommodation and Recreational Facilities laid out by MLC, Title 3, Guideline B.3.1 of the MLC Code the vessel shall be issued a dispensation letter. Procedures are described in **MMC-302**.

Vessels built before 20 August 2013 (keel laid) are still required to comply with the relevant regulations concerning the Certificate of Inspection of Crew Accommodation (CICA). Relevant procedures are carried governed by Circular **MMC-396**.

Regarding hours of rest, the FSA has issued a set of guidelines included in **MMC-268**. When conducting an MLC inspection, it is important to keep in mind that the Master is required to post a table describing the organization of work on board, and that records demonstrating compliance with this and with the minimum hours of rest requirements are kept.

MMC 130 Provides details about type of inspections and the ship-owner and master of the ship will have the obligation to correct all deficiencies reported by the maritime labour inspectors for a maximum period of up to three (3) months, depending on the type of deficiencies and what is stipulated in the Inspection Report. Once the deficiencies found during a maritime labour inspection have been corrected by the ship-owner and ship master of the ship, they must notify in writing the corrective measures adopted, through the e-mail: laborinspections@amp.gob.pa or to deliver them physically in the office of the Maritime Labour Affairs Department

INNOVATE

CIRCULAR MMC-366 October 2023 – References were updated.

CIRCULAR MMC-261 October 2023 – New subject, the paragraphs # 1, 2 and 3 are modified, and the paragraphs. # 4, 5, 6, 7, 8, 9, 10, 11 and 12 are added.

CIRCULAR MMC-264 October 2023 – Change subject, the paragraphs # 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 are modified and the paragraph # 14 is added.

STAY FOCUSED

CIRCULAR MMC-345 September 2023 – Corrections to the appendix of the Merchant Marine Circular (Page 1 example 4, Page 2 example 4 and Page 2 example 6)

With **MMC-265**, the FSA has issued official definitions for the terms Shipowner, and Seafarer. Additionally, there are a list of persons or category of persons which are not included in the definition of Seafarer. It goes further by providing a very specific definition of the term Cadet and states that the final determination of status as seafarer of a particular person rests with the FSA.

Regardless of whether the Patent (Registration) is issued for a foreign or internal service vessel, labor on board a Panamanian-flag vessel operating exclusively within Panamanian territorial waters shall be regulated by Law Decree No. 8 of 1998, and not the MLC.

Maritime Complaints Procedure Guidelines are outlined in **MMC-264**. Seafarers are to be provided with a copy of the procedures with a copy of their employment agreements.

The minimum requirements that shall be contained in the Seafarers' Employment Agreements (SEA), according to Regulation 2.1 and Standard A2.1, are specified in **MMC-262**.

Medical Certificates issued within Panama must be so by a medical professional recognized by the FSA. Medical certificates issued abroad must be so by a medical professional recognized by the government of the country it is issued. While each FSA has its own format, the certificate must contain at least the information required in Section A-1/9, number 7 of the STCW 78 Convention. Details can be found in **MMC-261**, which also offers links to the FSA's Guidelines on the Medical Certification of Seafarers, the Medical Certificate Form, and the Medical Examinations Form.

However, a temporary dispensation letter may be issued, under the conditions and procedures outlined in **MMC-385**.

The coming into force of the Convention entails that the CICA will be mandatory only for vessels built before 20 August 2013. For vessels built after this date, the MLC Certificate by itself shall constitute evidence of compliance with those items covered by the CICA considered **MMC 279**.

A list of mandatory and recommended guides and codes, concerning the MLC, are listed in **MMC-276**. Mandatories are: International Medical Guide for Ships, Medical First Aid Guide for Use in Accidents Involving Dangerous Goods, International Code of Signals-Medical Section, Ambient Factors in the Workplace.

If the recognized organization carries out an MLC inspection (interim, initial, intermediate, renewal, additional), and the vessel is found with non-conformities related to regulations,

standards or national legislation of the MLC, the Recognized Organization or the operating company may apply for an authorization to issue a Conditional Certificate, provided an action plan has been approved and the correspondent additional audit is agreed before restoring the validity or issuing the MLC Certificate. (See **MMC-336**).

MANNING CONSIDERATIONS

ISM and MLC auditor should keep in mind that the FSA has adopted the 2010 Manila Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 78, as amended. Details found in **MMC-235**.

A schedule indicating how the work and the rest periods are organized onboard, written in the English language, or the common language of work, must be kept at an accessible place and available for the competent authorities to always guarantee safe watchkeeping, according to the provisions of Section A-VIII/1 of the Code on Standards of Training, Certification and Watchkeeping for Seafarers. See also MLC FSA requirements.

A Certificate of Competency is required of the following personnel on board Panamanian registered MODU's: Offshore Installation Manager, Barge Supervisor, and Ballast Control Operator. These certificates will have no expiration date.

MMC-268 provides comprehensive standards regarding watchkeeping, as per requirements of the STCW'78 Convention (as amended) and the MLC 2006 Convention (as amended), and as per national regulations.

FISHING VESSELS

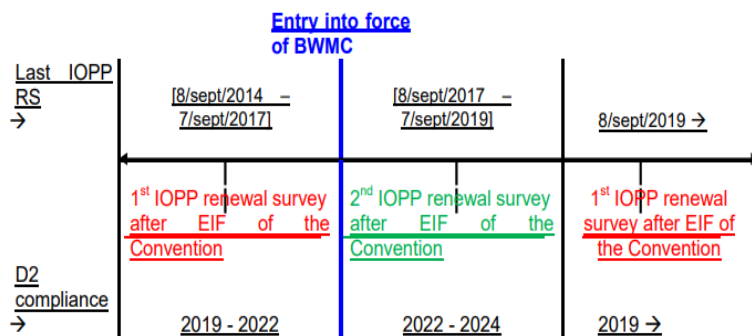
Panamanian fishing vessels with a length of 24 meters and above shall be subject to a minimum of two inspections of the outside of the ship's bottom during any five-year period. The five-year period is defined by the Fishing Vessel Safety Certificate. This is irrespective of the vessel's navigation area.

Panamanian fishing vessels with a length lesser than 24 meters are subject to a minimum of two inspections of the outside of the ship's bottom during any six-year period.

Starting on 30 June 2023, all fishing vessels to which the Fishing Vessel Safety Certificate applies must have installed AIS. Details found in **MMC-397**

INTERNATIONAL BALLAST WATER MANAGEMENT CERTIFICATE

CIRCULAR **MMC-348** inform all of our users and clients that under an expedite process scheme Recognized Organizations authorized for the issuance of the Provisional Certificate under the International Ballast Water Management Convention, 2004.



Procedures relating to Panama's policies on Ballast Water Management Convention are generally contained in **MMC-345**.

MMC-362 provides a list of companies with type-approved BWMS and provides contact details for information on obtaining type approval of BWMS.

INNOVATE

CIRCULAR MMC-366 October 2023 – References were updated.

STAY FOCUSED

CIRCULAR MMC-345 September 2023 – Corrections to the appendix of the Merchant Marine Circular (Page 1 example 4, Page 2 example 4 and Page 2 example 6)

STATEMENT OF COMPLIANCE FOR INVENTORY OF HAZARDOUS MATERIALS

Implementation in advance of the requirements of the HKC 2009 for those vessels calling to ports in the European Union. Not required of other vessels.

Policies for implementation are contained in **MMC-386**.

The IMSBC Code has been amended by Resolution MSC.500(105) of 28 April 2022, shall enter into force on 1 December 2023, and it can be implemented on a



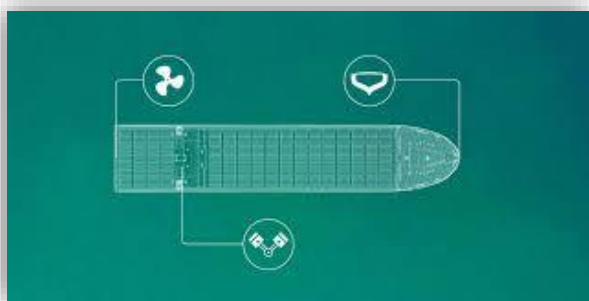
voluntary basis from 1 January 2023. **MMC-214**, provides Mandatory Implementation of the Amendments to the IMSBC Code.

The Administration encourage all stakeholders to be aware of the latest amendments to the Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective in MSC.1/Circ.1395/Rev.6 dated 26 June 2023, with the purpose to update the requirements and cargoes eligible to exemption under the provisions of SOLAS regulation II-2/10.7.1.4.

IMPLEMENTATION OF THE EEDI AND THE EEXI

To mitigate climate change due to international shipping, the International Maritime Organization (IMO) adopted both technical and operational requirements to reduce carbon intensity of international shipping. Has been adopted by the IMO through the Resolution MEPC.328(76) and adopted by the Republic of Panama through Resolution No. 107-OMI-256-DGMM dated May 24, 2022.

MMC-257, as amended, provides a comprehensive description of the FSA's policies and procedures regarding the implementation of the Energy Efficiency Design Index and the Energy Efficiency Design Index



In case of ships of 5,000 gross tonnage and above not falling into categories in the following regulations in Annex VI, 2.2.5 (bulk carrier), 2.2.7 (combination carrier), 2.2.9 (containership), 2.2.11 (cruise passenger ship), 2.2.14 to 2.2.16 (gas carrier, general cargo ship, LNG carrier), 2.2.22 (refrigerated cargo carrier), and 2.2.26 to 2.2.29 (ro-

ro cargo ship, ro-ro cargo ship (vehicle carrier), ro-ro passenger ship, tanker) are not subject to CII calculations and SEEMP part III. However, the data collected as per the Regulation 27 of Annex VI shall continue to apply, and Confirmation of Compliance issued according to the form in MEPC.1/Circ.876 shall be used, referring to the guidelines adopted through Resolution MEPC.346(78). This group of ships is invited to calculate voluntarily their CO2 emissions.