

FLAG STATE REQUIREMENTS SUMMARY



PANAMA
JANUARY 2024



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.
- ❖ **MMC-136**, QRS Surveyors is in list of Recognized Organization authorized by the Republic of Panama.

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”. (Update Dec 23)

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**.

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 forms 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 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 (**MMC-166**) are stowed should be provided with an embarkation ladder or other means of embarkation enabling descent to the water in a controlled manner in 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.

INNOVATE

CIRCULAR MMC-68.

November 2023 – 4.2 and 4.3 replaced by one paragraph.

CIRCULAR MMC-119

November 2023 - Revised text and reference.

CIRCULAR MMC-166

November 2023 – Number is assigned to each paragraph. Updated references

CIRCULAR MMC-166

November 2023 – Inclusion paragraph 2 – scope and order the paragraphs numbers.

CIRCULAR MMC-229

November 2023 – Add scope and eliminate the hyperlink.

STAY FOCUSED

CIRCULAR MMC-167

November 2023 – Revised text and reference

CIRCULAR MMC-378

November 2023 – New formats apply in whole the document.

CIRCULAR MMC-258

January 2024 – Section 6 “List of Service Providers” Table 6.1 updated to include new authorized services providers and Section 4.3 revised completely and amended exceptional circumstances clarified.

Manning of survival craft and supervision above **MMC-68** all ships registered under the Panama flag will be required to have at least two (2) certificated persons on each lifeboat. The Master and Offshore Installation Manager (in case of non-self-propelled units) will make sure that the equitable distribution of Certificated Persons in every vessel's survival craft is as follow:



- One (1) Certificate Person in command; and
- One (1) Certificate Person as second in command

The Certificated Persons should have a list of all persons assigned to the survival craft and should see that persons under their command are acquainted with their duties.

Resolution No. 106-138- DGMM, 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. Resolution entry in force January 1st, 2020, for Amendments to the International CODE for Fire Safety SYSTEM (FSS CODE). **MMC-378**

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-142**, guidelines about requirements, training, survey, Inspection and Testing.

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**). In case of non-interface of BNWAS with VDR complying with Resolution A.861(20) as amended by Res.MSC.214(81) (refer to our MMC-161), this Administration will issue an Acceptance letter (Existing Exemption Certificates will remain valid until the expiry date)



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**. November 2023, Update.

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. 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).



INNOVATE

CIRCULAR MMC-334

December 2023 – Merge
MMC 334 and 103.

Delays affecting the availability of new GMDSS equipment compliant with the revised performance standards set out in resolutions MSC.511(105), MSC.512(105), and MSC.513(105) - MSC.1/Circ.1676, 30 June 2023.

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

The MSC Committee, at its 107th session, considered information provided by IEC and CIRM on the availability of GMDSS equipment after 1 January 2024 and noted that considerable work had been carried out by the radio manufacturing industry and the standards organizations to develop the new equipment required. However, some of the performance standards incorporate new features that still require specification from other organizations. Therefore, concluded that it was unrealistic for new shipborne VHF radio installations, shipborne MF and MF/HF radio installations, or Inmarsat-C ship earth stations conforming to performance standards specified in the annex to resolutions MSC.511(105), MSC.512(105) and MSC.513(105), respectively, to be available for installation from 1 January 2024.

Recognized Organizations/Class Societies are instructed to implement the amendments to SOLAS Chapter IV and in consequence, replace the forms of relevant statutory certificates after the first radio survey (periodical or renewal) after 1 January 2024.

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

together with the required information supporting the determination of gross and net tonnages as well as the ship's drawings, 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 calculation 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 ECDIS.

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 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.

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 appropriate organization of management, ashore and on board, is needed to ensure adequate standards of safety and pollution prevention. A systematic approach to management by those responsible for management of ships is therefore required. The objectives of the mandatory application of the ISM Code are to ensure:

- compliance with mandatory rules and regulations related to the safe operation of ships and protection of the environment; and
- the effective implementation and enforcement thereof by the Administration

INNOVATE

CIRCULAR MMC-388 January 2024 - “should” replaced by “shall”. Amendment to the following points: References, 7.3, 7.4 10.7 and 10.8.

STAY FOCUSED

CIRCULAR MMC-380 January 2024 – Replaces MMC-172 and its formats.

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**. This establish measurements to reduce Port State Control (PSC) detentions and improve the performance of Panama flagged vessels, with the cooperation of recognized organizations, shipowners, and ship operators as well as other interested parties.

RO's are responsible for a permanent verification of MoU's websites to determine the status of vessels under its supervision.

RO's surveyors on board Panama flagged vessels shall paid attention to the following main items including on the "Top Deficiencies" (most frequent detainable deficiencies) on MoU's annual reports, but not limited to:

1. Validity of all Statutory Certificates (including annual/intermediate endorsements).
2. Life-Saving Appliances (LSA) in general.
3. Lifeboat falls (including renewal and reversal dates).
4. Life rafts servicing (dates).
5. Fire Fighting Systems & Equipment (in general).
6. Emergency Fire Pumps (last test).
7. Fire detention & alarm system (last service).
8. Pyrotechnics (expiry date or expiration date).
9. Records of weekly/monthly drills and equipment inspections (logbook's entries, SMS records).
10. Nautical Publications & Charts (up to date).
11. Oil Record Book + Oil Filtering Equipment (MARPOL 73/78 Annex I).
12. Any outstanding statutory items and/or conditions of class (verify last class survey).
13. Personnel Familiarization & Responsibility (ISM Code – Section 6).
14. Maintenance of the Ship and Equipment (ISM Code – Section 10).
15. Working & Living Conditions (MLC, 2006).



This Administration accepts the RO responsibility criteria of the Tokyo MoU (as a permanent member) and Paris MoU.

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**.

MOU Annual Safety Inspection Program to **MMC-150** an Alternative Program to carry out flag State Inspections (FSIs) on board any type of Mobile Offshore Units (MOU) under the flag of Panama, regardless of its on-location for drilling, accommodation, production and/or storage or any other operation of the offshore industry. Each MOU under the flag of Panama in port (not in Lay-up status) or on-location (afloat or bottom bearing) operating within jurisdictional waters of a coastal State (until its Continental Shelf) should be subject to a FSI to be conducted, in normal condition of availability & accessibility to go offshore on board by an authorized flag State inspector.

MMC-3 above the list of Merchant Marine Consulates to receive and process applications for the provisional registration of ships, preliminary recording of title deeds, pre-cancelation notices and mortgages of vessel of the national merchant marine.

To inform owners/ operators will be inform about Recognized Organizations, Master, and Flag State Surveyors in **MMC-30** on the applicable procedures regarding the amendments to the COLREG 72.

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 always maintained on board the vessel. 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> .

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.

The Panama Maritime Authority requires all the Panamanian vessels that have undergone an attack / armed robbery / hijack, to send us application Forms (for references visit Maritime Security link, Panama Piracy Report) in the which must be completed by Shipowners/Operators, Masters, Company Security Officer, and then submitted to the following addresses: asp@amp.gob.pa.

For further assistance please note below the contact points:

Maritime Ships Security Department
Phone: + (507) 501-5037 / 5368
Email: asp@amp.gob.pa

SEGUMAR PANAMA
Phone: + (507) 501-5350 / 5348 / 5032
Email: authorizations@segumar.com
Evenings, Weekends & Holidays

INNOVATE

CIRCULAR MMC-359

Restructuration of all Circular.

STAY FOCUSED

CIRCULAR

MMC-245

November 2023 – supersedes and compiles MMC-228; MMC-231; MMC234; MMC-286 and MMC-306.



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**.

MARITIME CYBER RISK MANAGEMENT

The Resolution MSC.428(98) Maritime Cyber Risk Management in Safety Management Systems (SMS) on June 16, 2017, approved the Guidelines on Maritime Cyber Risk Management thorough MSC-FLA.1/Circ.3.

These Guidelines provide high-level recommendations for maritime cyber risk management in **MMC-354**

For details and guidance related to the development and implementation of specific risk management processes, users of these Guidelines should refer to specific Member

Governments' and Flag Administrations' requirements, as well as relevant international and industry standards and best practices application of the ISM Code should support and encourage the development of a safety culture in shipping. Success factors for the development of a culture that promotes safety and environmental protection are, inter alia, commitment, values, beliefs, and clarity of the safety management system.

These Guidelines are primarily intended for all organizations in the shipping industry and are designed to encourage safety and security management practices in the cyberdomain. These Guidelines are recommendatory.

Cyber risks are appropriately addressed in Safety Management Systems (SMS) no later than the first annual verification of the company's Document of Compliance (DOC annual verification audit) on or after 1 January 2021.



The Global Maritime Safety Inspection Platform (GMSIPI) was implemented on August 1st, 2018. This platform is an essential tool for the issuance of inspection requests for our registry vessels. The flag inspectors will perform the inspections of our vessels in a digital manner (eliminating the use of paper) and integrate them in real time to the platform. The guidelines on **MMC-373** and web site <https://amp.digitaledge.net>.

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.

MMC-202 inform the List of Approved P&I Clubs/Insurers. The P & I Clubs / insurance companies / financial security providers that are not listed and wish to be accepted by the Panama Maritime Authority, may apply to the following email addresses: liabilities@segumar.com, mlc@segumar.com and mlcassist@segumar.com

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.

To obtain the Declaration of Maritime Labour Compliance Part I, using the following link: <http://certificates.amp.gob.pa/certificates>.

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."



Every ship shall provide, free of charge, to seafarers during their period on board or period of engagement, drinking water and food of appropriate quality, variety, nutritional value and quantity that adequately covers the requirements of seafarers, considering their different cultural and religious backgrounds, as well as the duration and nature of the voyage.

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**.

INNOVATE

CIRCULAR MMC-366

December 2023 – Paragraphs renumbered, and sections added. Preamble and scope amended. References added. Garbage Record Book entries during drydock stay and future entry in force of amendments 2022 added.

CIRCULAR MMC-269

November 2023 – - Modified the Paragraphs 4.20 and 4.26.2. and revokes MMC-248, MMC254, MMC-256 and MMC-280.

CIRCULAR MMC-275

December 2023 – The paragraphs # 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 are modified, and the paragraphs # 11, 11.1, 11.2, 11.3, 12 and 12.1 are added.

STAY FOCUSED

CIRCULAR MMC-271

December 2023 – The references and paragraphs 1 and 2 were modified. Paragraphs # 3 and 4 were added. Replaces the MMC-227 and MMC-253.

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

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-I/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**).

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).

For **MMC-217**, 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 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.

The **MMC-224** to start into force since January 1, 2020, about the Control of the Fuel's Quality Guidelines to establishment of control of the fuel's quality to be delivered on board ships by the bunker suppliers, specifically on the steps to be followed for the taking of samples demanded by MARPOL's Regulation 18(8.1) Annex VI.

To obtain and/or renew the Certificate of Liability for Oil Pollution Damage (CLC'92) the **MMC-41**. From March 1, 2017, applications should be placed by accessing the following link: <http://certificates.amp.gob.pa/certificates> , please make sure that the Blue Card is readily

INNOVATE

CIRCULAR MMC-217

November 2023 – The reference was revised and the scope of paragraph 2.

CIRCULAR MMC-224

November 2023 – Inclusion of purpose and scope was ordering the number in the paragraphs.

STAY FOCUSED

CIRCULAR MMC-241

November 2023 - replaces the circular No. MMC-22. Inclusion paragraph 3 – scope and paragraph numbers order.

available to upload in the system and evidence of the payment made to Segumar Miami Office “PANAMA MARITIME AUTHORITY” or Official Payment Receipt issued by the Central Office in Panama or by a Merchant Marine Qualified Consulate has been made.

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.

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. This Administration encourage all stakeholders to be aware of the latest amendments to the Lists of solid bulk cargoes for which a fixed gas fireextinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective in



MSC.1/Circ.1395/Rev.6.

MMC-164 provides, recommendations of The Maritime Safety Committee, of IMO for decision-making emanating from various formal safety assessment (FSA) studies on bulk carrier safety.

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.

INNOVATE

CIRCULAR MMC-164

November 2023 – New paragraph 1 and 2.

CIRCULAR MMC-214

December 2023 – Adoption of 2022 amendments and voluntarily implementation of 2023 amendments to the IMSBC Code.

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 Cyberdyne and the form of the International Anti-fouling System Certificate. **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)



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.



STAY FOCUSED

CIRCULAR **MMC-270**
December 2023 – Change in the Reference section concerning to the Law No. 204 of March 18, 2021, which revokes Executive Decree No. 160 of June 6, 2013, and change in paragraph 4; new paragraph 2 (Scope) and change in paragraph 9 (9.2) - Circular Letter 2554, Rev. 4 March 8, 2023.

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**

MMC-270 inform our users that Reefers, Tankers or Supply Vessels that are interested in being part of any transshipment program or providing assistance to any fishing vessel, must apply and obtain consent (International Fishing License), issued by the Authority of Aquatic Resources of Panama (ARAP).

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**.



INNOVATE

CIRCULAR MMC-362

January 2024 – References were updated.

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

ADOPTION OF AMENDMENT TO MARPOL 73/78, ANNEX V

The provisions of MARPOL Annex V shall apply to all ships registered under Panama flag. Text Under the revised MARPOL Annex V, garbage includes all kinds of food, domestic and operational waste, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear, and animal carcasses generated during the normal operation of the ship.

Garbage does not include fresh fish and parts thereof generated because of fishing activities undertaken during the voyage, or because of aquaculture activities. **MMC-366** have general guidelines for the implementation and as amended by the Resolution MEPC.201(62) and later through Resolution MEPC.277(70), and Resolution MEPC.360(79).



MARPOL Annex V - 2022 Amendments entry in force 1 May 2024

Garbage record books will be mandatory for ships of 100 gross tonnage and above and less than 400 gross tonnages (smaller ships).

Smaller ships will be required to keep records of their garbage handling operations, namely discharges to a reception facility ashore or to other ships, garbage incineration, permitted discharges of garbage into the sea, and accidental or other exceptional discharged or loss of garbage into the sea.

This Administration recommend that Garbage Record Book entries during drydock stay considering every occasion when a discharge operation is conducted by a ship personnel to a port reception facility located on the shipyard premises, an entry must be made in the Garbage Record Book, and a receipt must obtain.

STATEMENT OF COMPLIANCE FOR INVENTORY OF HAZARDOUS MATERIALS (IHM)

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**. Issuance of Conditional SoC valid for three (3) months for the purpose of the issuance of Conditional Certificates please refer to the Merchant Marine Circulars **MMC-156** and **MMC-324**.

STAY FOCUSED

CIRCULAR **MMC-386**
December 2023 – References updated due to adoption of 2023 Guidelines.



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) (**MMC-365**) 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

INNOVATE

CIRCULAR MMC-365

December 2023 – reference k) and section 4.1.4 added.

In case of ships of 5,000 gross tonnage and above not falling into categories in the following regulations in Annex VI, 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).

At the end of the calendar year 2023 and after the end of subsequent calendar years, each ship of 5,000 gross tonnage and above falling into categories in regulations:

- 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), roro passenger ship, tanker) in

Annex VI, shall calculate their Attained Annual Operation Carbon Intensity Indicator (Attained CII) from January 1 to December 31, using the data collected as per the Regulation 27 of Annex VI. Comparing it with the Required Annual Operational Carbon Intensity Indicator (Required CII) to determine operational carbon intensity rating A, B, C, D, or E.



Ships registered under Panama flag for international service **solely engaged in voyages restricted to specific areas within jurisdictional waters** of the Republic of Panama will not apply the CII calculation and rating requirements.



In case of ships of 5,000 gross tonnage and above not falling into categories in the following regulations in Annex VI 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.

IMO adopted the "**Interim guidance on the use of biofuels under regulations 26, 27 and 28 of MARPOL Annex VI (DCS and CII)**" dated 24 July 2023 through the MEPC.1/Circ.905, which should be considered as an interim simplified method until a more comprehensive method is developed to calculate a fuel's Emission Conversion Factor reflecting its well-to-wake GHG emissions and removals based on the LCA Guidelines (Res. MEPC 376(80)).

OTHER CIRCULARS

- With **MMC-216**, the FSA has issued official definitions for Code of Safety for Caribbean Cargo Ships (CCSS Code) and provide a regional safety standard for vessels under 500 Gross Registered Tons, which travel in the Caribbean Trading Area.
- This Administration, based on the provisions of the MSC.1/Circ.1566 accepts voluntary the early implementation of amended SOLAS regulations II-2/Regulation 1 and II-2/Regulation 10. **MMC-372** Guidelines on the Voluntary Early Implementation of Amendments to the 1974 SOLAS Convention and Related Mandatory Instruments, of 15 June 2017
- The companies that have complied with all the requirements set forth in Resolution No. 106-96-DGMM of December 10th of 2018 according to PMA General Directorate of Merchant Marine are listed in **MMC-374**.