

Merchant Marine Circular

Panama Maritime Authority
General Directorate of Merchant Marine
Control and Compliance Department

MERCHANT MARINE CIRCULAR MMC-265

- To:** Parties, Administrations, Port State Supervisory Authorities, Ship-owners / Operators, Recognized Organizations, Seafarers, Legal Representatives, Authorized Maritime Training Centers, Authorized Physicians, Private Consulates of Merchant Marine, Inspectorates, Authorized Offices, Brokers, and users of the Panama Ship Registry.
- Subject:** Maritime Labour Convention, 2006, as amended (MLC, 2006, as amended) - Occupational Groups (DEFINITIONS).
- Reference:** Maritime Labour Convention, 2006, as amended (MLC, 2006, as amended), Law No. 2 of January 6, 2009, Executive Decree No. 86 of February 22, 2013 and Executive Decree No. 160 of March 3, 2021.

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1. The purpose of this Circular is to communicate to the users of the Panamanian Registry, the provisions to identify which person or category of persons may be considered as "Seafarer", and which as "Ship-owner", for application purposes of the Maritime Labour Convention, 2006, as amended (MLC, 2006, as amended), once it enters into force.
 2. That the term **Seafarer or Seaman** refers to "Any person, including the master, who is employed or engaged or works in any capacity on board a ship".
 3. If there is any doubt related to the condition of seafarer of any person category, the matter shall be resolved by the Panama Maritime Authority, upon corresponding consultation with the ship-owners organizations and seafarers concerned.
 4. That as per national regulations, the following persons or category of persons are not considered as seafarers:
 - 4.1. Port pilots.
 - 4.2. Port workers.
 - 4.3. Ship Surveyors.
 - 4.4. Superintendents.



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- 4.5. Workers subject to the special working regime of the Panama Canal Authority.
 - 4.6. Technical staffs operating offshore drilling platforms or MODU; except those individuals that because of their training and qualifications are covered by the provisions of the 1978 STCW Convention, as amended.
 - 4.7. Armed personnel.
 - 4.8. Scientists.
 - 4.9. Researchers.
 - 4.10. Divers.
 - 4.11. Cadets.
 - 4.12. Specialist off-shore technicians and others whose work is not part of the routine operation of the ship.
 - 4.13. Any other person or category of persons as indicated by the Administration.
5. Also, national regulations defines a **Cadet** as “An aspiring merchant marine officer, whose training program includes the improvement of academic and professional skills, as well as the formation of attitudes and behaviors under the observance and strict compliance of rules, regulations and existing orders.”
6. A **Ship-owner** “is any natural or legal person, owner of a ship or another organization, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on ship-owners in accordance with the Maritime Labour Convention 2006, as amended, (MLC, 2006, as amended) regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the ship-owner”.
7. That the working relationships on board Panamanian flagged vessels exclusively navigating within interior waters, regardless of the patent type, shall be regulated by the provisions of the Decree Law No. 8 of February 26, 1998 whereby work at sea and in navigable waterways is regulated.
8. In case of doubts about the requirements for the categories of personnel that are not considered seafarers, please contact your nearest Panamanian Merchant Marine Consulate, who follows the guidance provided by the corresponding Regional Seafarer Documentation Offices and the General Directorate of Seafarers.

April, 2023 – Change in the Paragraphs # 1, 4, 6 and 7.

September, 2014 – change of email address on email below.

September, 2013 – Modification of point 8.



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August, 2013 – New point 8 included.

April, 2013 – Change of contact Points below.

March, 2013 – Inclusion of “Cadets” in point 4.

February, 2013.

Inquiries concerning the subject of this Merchant Marine Circular or any other request should be forward to:

Maritime Labour Affairs Department
General Directorate of Seafarers
General Directorate of Merchant Marine
Panama Maritime Authority

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