

# Merchant Marine Circular

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

## **MERCHANT MARINE CIRCULAR MMC-200**

**To:** Owners/Operators of Panamanian flagged vessels, Recognized, Organizations, Masters and Annual Safety Inspectors, and all other stakeholders.

**Subject:** MARPOL 73/78 Annex II and IBC/BCH Code relative matters.

**Reference:**

- a) Resolution MEPC. 319 (74) dated 17 May 2019, adopted through Resolution No. 106-OMI-241-DGMM of 31 July 2020.
- b) Resolution MEPC.318 (74) dated 17 May 2019, adopted through Resolution No.106-OMI-238-DGMM of 31 July 2020.
- c) Resolution MEPC. 315 (74) dated 17 May 2019, adopted through Resolution No. 106-OMI-239-DGMM of 31 July 2020.
- d) Resolution MEPC 302(72) dated 13 April 2018, adopted through Resolution No. 107-OMI-216-DGMM of 11 December 2019.
- e) Resolution MEPC 166(56) dated 13 July 2007, adopted through the Resolution 106-OMI-54-DGMM of 9 October 2008.
- f) Resolution MEPC. 118 (52) dated 15 October 2004, as reference.
- g) Resolution MSC. 463 (101) dated 14 June 2019, adopted through Resolution No.106-OMI-241-DGMM of 31 July 2020.
- h) Resolution MSC.460 (101) dated 14 June 2019, adopted through Resolution No.106-OMI-238-DGMM of 31 July 2020.
- i) Resolution MSC 440(99) dated 24 May 2018, adopted through Resolution No. 107-OMI-216-DGMM of 11 December 2019.
- j) Resolution MSC 219(82) dated 8 December 2006 adopted through the Resolution No. 106-OMI-54-DGMM of 9 October 2008.
- k) Resolution A.1122 (30) dated 6 December 2017, adopted through Resolution No.107-OMI-201-DGMM of 10 October 2018.
- l) Resolution A. 673 (16) dated 19 October 1989, adopted through the Resolution No. 106-OMI-186-DGMM of 3 February 2017.

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## 1. Purpose

- 1.1.** This Merchant Marine Circular supersede **MMC-62, MMC-147 and MMC-186.**
- 1.2.** The purpose of this Merchant Marine Circular is to inform Owners/Operators, Recognized Organizations, Masters, and Annual Safety Inspectors on the applicable procedures related to the amendments to the IBC Code, BCH Code and MARPOL 73/78 Annex II, adopted in 2019 which apply to chemical tankers and ships carrying noxious liquid substances in bulk, and entered into force on 1 January 2021, with regard to the following:
- 1.2.1.** Resolution MEPC. 315 (74) adopted on 17 May 2019 related to amendments to MARPOL Annex II - Cargo residues and tank washing of persistent floating products.
- 1.2.2.** Resolution MEPC.318(74) adopted on 17 May 2019 and Resolution MSC.460 (101) adopted on 14 June 2019, related to amendments IBC Code Chapter 1 - Definitions, Chapter 15 - Special requirements, Chapter 16 - Operational requirements, Chapter 17 - summary of minimum requirements, Chapter 18 – List of products to which the Code does not apply, Chapter 19 – Index of Products Carried in Bulk, Chapter 21 – Criteria for assigning carriage requirements for products subject to IBC Code,
- 1.2.3.** Resolution MEPC. 319 (74) adopted 17 May 2019, and Resolution MSC.463(101) related to BCH Code, Chapter IV, V, VI – Special, operational and minimum requirements.
- 1.3.** To remind the procedure for Tripartite Agreements in Compliance with regulation 6.3 of Annex II MARPOL 73/78.
- 1.4.** To provide the specific technical requirements in case of apply for exemption to transport vegetable oil.

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**1.5.** And remind on the compliance with the requirements of paragraph 2.2.6 of IBC Code (be fitted with a stability instrument) and the necessary records on the model form of international certificate of fitness for the carriage of dangerous chemicals in bulk and its waver.

## **2. Preamble.**

**2.1.** The amendments introduce new requirements as a result of the assessment of products. Amendments which apply to new and existing ships taking effect on 1 January 2021; therefore, chemical tankers and offshore supply vessels and other vessels carrying Noxious Liquid Substances shall be certified in compliance with the new amendments.

## **3. Definitions.**

**3.1.** The following new definitions are included in the amendments:

**3.1.1.** Persistent floater means a slick forming substance with the following properties:

- Density:  $\leq$  sea water (1025 kg/m<sup>3</sup> at 20°C);
- Vapour pressure:  $\leq$  0.3 kPa;
- Solubility:  $\leq$  0.1% (for liquids)  $\leq$  10% (for solids); and
- Kinematic viscosity:  $>$  10 cSt at 20°C."

## **4. Instructions to the Recognized Organizations**

**4.1.** In line with the entry into force of the new amendments, Recognized Organizations are instructed to implement it at the earliest opportunity, requiring the reissuance of the following documents:

**4.1.1.** Certificate of Fitness for the carriage of Dangerous Chemicals in Bulk (IBC/BCH Code Certificates),

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- 4.1.2.** Certificate for the Carriage of Noxious Liquid Substances in Bulk,
  - 4.1.3.** Certificate of Fitness (issued under the guidelines for the Transport and Handling of limited amounts of hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels),
  - 4.1.4.** Certificate of Fitness (Code for the Transport and Handling of Hazardous and Noxious Liquid Substances in bulk on Offshore Support Vessels (OSV Chemical Code),
  - 4.1.5.** Procedures and Arrangements (P&A) Manuals. Each ship which this requirement applies is to have on board a procedure and arrangement (P&A) Manual approved on behalf of the Administration. The Manual should contain the information specified in the Standards of Procedures and Arrangements and the requirements of MARPOL 73/78 Annex II.
- 4.2.** As the amendments introduce changes of ship type, tank type, other carriage requirements for some cargoes, and requirements for pre-washing for some products. Therefore, the range of products a ship is certified to carry will differ before and after 1 January 2021.
- 4.3.** The new Certificate of Fitness based on the new amendments shall be issued before the entry into force date of the amendments (must be on board from 1 January 2021) and kept on board with the existing certificate. New Certificates will have the same expiry date as the existing Certificate and is effective, and supersedes the existing certificate, at the entry into force of the amendments (on 1 January 2021).
- 4.4.** All cargo loading after this date must be in accordance with the new certificates. When cargo is loaded before 1 January 2021, and unloaded after this date, the relevant provisions of the IBC Code at the time of loading are applicable until the cargo has been unloaded.

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**4.5.** Offshore supply vessels with Certificates of Fitness in compliance with the “LHNS Guidelines” - IMO Resolution A.673 (16) or “OSV Chemical Code” - IMO Resolution A.1122 (30), are also subject to these amendments.

**5. Tripartite Agreements in Compliance with Regulation 6.3 of Annex II MARPOL 73/78.**

**5.1.** Annex II of MARPOL 73/78, establishes that where it is planned to carry a liquid substance in bulk which has not been categorized under paragraph 1 of regulation 6, the Governments of Parties to the Convention involved in the proposed operation shall establish and agree on a provisional assessment of such operation on the basis of the guidelines referred to in paragraph 2 of the regulation. Until full agreement among the Governments involved has been reached, the substance shall not be carried. After the agreement has been reached, and within the first thirty (30) days, the Government of the producing or shipping country, initiating the agreement, shall notify the Organization and provide details of the substance and the provisional assessment for annual circulation to all Parties for their information. The Organization shall keep a record of such substances and their provisional assessment until the substances are formally included in the IBC Code.

**5.2.** The Maritime Authorities which are interested in forwarding a proposal for a Tripartite Agreement to this Administration shall do so by submitting the information to segumar office at Panama to email address [authorizations@segumar.com](mailto:authorizations@segumar.com) / [segumar.headoffice@segumar.com](mailto:segumar.headoffice@segumar.com), and Phone numbers (507) 501- 5361/ 5353 /5350 /5348; or any of the segumar office of your convenience according your geographical location.

**6. Exemptions.**

**6.1.** To transport vegetable oil under Regulation 4.1.3 MARPOL 73/78, Annex II

**6.1.1** In case you require transporting vegetable oil and your vessel is not a ship type 2 chemical tankers; you can apply for an exemption under provisions of Regulation 4.1.3 of MARPOL 73/78, Annex II (revised). According to regulation 4.1.3 ship type 3 chemical tankers which fully comply with the



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IBC Code and MARPOL Annex II will require an exemption certificate issued by the administration in order to carry individually identified vegetable oils. The exemption shall be granted to those vessels which meet the provisions described in Regulation 4.1.3 of MARPOL 73/78, Annex II (revised). The exemption certificate shall be issued with the same expiration date as the Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (CoF).

**6.1.2** The following documents shall be submitted to the review by administration:

- a) Application for exemption Certificate properly filled out.
- b) Copy of the International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (CoF).
- c) Statement of Recognized Organization indicating that the vessel is in compliance with all the technical requirements applicable under the reg. 4.1.3 of MARPOL 73/78, Annex II as amended.

**6.2.** All ships to be waived from the requirement to have a stability instrument as per paragraph 2.2.7 of IBC Code.

**6.2.1** It shall demonstrate that the ship is provided with the procedures employed for intact and damage stability verification which maintain the same degree of safety, as being loaded in accordance with the approved conditions and therefore such waiver shall be duly noted on the International Certificate of Fitness referred to in paragraph 1.5.4 of the Code.

**6.2.2** And then the requirements for application to the Administration are to submit:

- a) Application for exemption Certificate properly filled out.
- b) Copy of the International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (CoF).



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- c) Statement of Recognized Organization indicating which of the approved methods for loading as per paragraph 2.2.7 of IBC Code is complies with.

**6.3.** All applications shall be submitted to the Panama Maritime Authority head quarter office in Panama through the email address [exemptions@segumar.com](mailto:exemptions@segumar.com) or in the segumar offices of your convenience.

**October, 2023** – the following are amended: Added in the title “and relative matters”

*In reference it’s delete the resolutions repeated and rename the list.*

*In purpose it’s added paragraph 1.2 and 1.3*

*In instructions it’s amplified the definition of P&A Manuals on paragraph 4.1.5.*

*Added paragraph 5 refers to Tripartite Agreements; and paragraph 6 references to exemptions to transport vegetable oil, and the stability instrument.*

**September, 2020** – Whole Merchant Marine Circular revised.

**February, 2009.**

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

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