

Merchant Marine Circular

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

MERCHANT MARINE CIRCULAR MMC-269

To: Ship-owners/Operators, Company Security Officers, Legal Representatives of Panamanian Flagged Vessels, Panamanian Merchant Marine Consulates and Recognized Organizations (ROs).

Subject: Maritime Labour Certificate (MLC) - Certification Process - Maritime Labour Convention, 2006, as amended (MLC).

Reference: Law No. 2 of January 6, 2009 who adopted Maritime Labour Convention, 2006, as amended (MLC).

1. This Merchant Marine Circular revokes Merchant Marine Circulars **MMC-248, MMC-254, MMC-256 and MMC-280.**

2. **PURPOSE:**

- 2.1. Is to inform users of the Panamanian Registry that Segumar International Offices are able to issue the Declaration of Maritime Labour Compliance Part I, (DMLC-Part I) in electronic format free of charge. Within this Part (DMLC-Part I) compile all national regulations required to certify the ship in accordance to the guidelines of the Maritime Labour Convention, 2006, as amended (MLC).
- 2.2. Through tripartite meetings representatives of seafarers, shipowners and the Panama Maritime Authority adopted the Executive Decree No. 86 of February 22, 2013, where the National Legislation on the Maritime Labour Convention, MLC, 2006 of the International Labour Organization (ILO) was regulated.

3. **SCOPE:**

- 3.1. This Merchant Marine Circular applies to the following Panamanian registered ships:
- engaged in international voyages with a gross tonnage of 500 GT or more, and
 - operating from a port, or between ports from another country and a gross tonnage equal or over 500 GT.



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- 3.2.** Vessels with a gross tonnage from 200 GT to 499 GT engaged in international voyages or voyages between ports, may voluntarily request the Maritime Labour Certificate, for which compliance with all national regulations shall be required.

4. REQUIREMENTS:

- 4.1.** All ships under the application of MLC,2006 as amended must have on board a copy of the Maritime Labour Convention in a visible place and the Maritime Labour Certificate complemented with the Declaration of Maritime Labour Compliance, which consists of two parts, DMLC-Part I and DMLC-Part II.
- 4.2.** In accordance with the MLC 2006, the term “international voyage” refers to a voyage from a country to a port located outside such country, that is, outside the jurisdictional waters of the Republic of Panama.
- 4.3.** The DMLC Part I should only be requested when the vessel is going to start the inspection process in accordance with Regulation 5.1.3 and Standard A5.1.3 of the MLC.
- 4.4.** If the vessel is going to make a single voyage, the shipowner, operator, RO or legal representative must request authorization for such purposes and attach a copy of the two valid financial securities according to the requirements of the Circulars MMC-336 and MMC-202.
- 4.5.** In order to obtain the Declaration of Maritime Labour Compliance Part I, using the following link: <http://certificates.amp.gob.pa/certificates>
- 4.6.** For your convenience our SEGUMAR Offices are on the capacity to issue the DMLC Part I, please make sure to select the SEGUMAR Office of your convenience.
- 4.7.** Once the DMLC Part I is issued, the shipowner shall complete the Declaration of Maritime Labour Compliance Part II (DMLC-Part II), indicating the actions taken in order to ensure permanent compliance with the national requirements during the periods between surveys, as well as the measures proposed for guaranteeing continuous improvement of the aspects subject to survey.

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- 4.8.** The recognized organization (RO) authorized by the Panama Maritime Authority, shall endorse the Declaration of Maritime Labour Compliance Part II (DMLC-Part II), once the full initial and renewal inspection has ended in accordance to the requirements of the MLC, 2006; and shall proceed to issue the Maritime Labour Certificate valid for five (5) years from the date of completion of the inspection on which this certificate is based, in accordance to the MLC, 2006, as amended.
- 4.9.** The shipowners shall request the DMLC, Part I prior to the MLC inspection (full inspection), as per Regulation 5.1.3 of the Maritime Labour Convention, 2006, as amended (MLC), from the time of publication of this circular. To then proceed with the corresponding process through the Recognized Organization to carry out the correspondent inspection and issue the relevant certificate valid for five (5) years from the date of completion of the inspection.
- 4.10.** If a vessel has a DMLC Part I in force and changes its name or gross tonnage (GT), needs to reissue the DMLC Part I.
- 4.11.** The ship-owner, operator, legal representative of the vessel, recognized organization or others, might request the DMLC Part I cancellation contacting the MLC Section through the e-mail: mlc@segumar.com mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21).
- 4.12.** If any information of the shipowner, operator and manager company (DOC) changes, must coordinate with the recognized organization to update of the DMLC Part II and the Maritime Labour Certificate. The DMLC Part I remains the same.
- 4.13.** The DMLC Part II must include the vessel name, the IMO number and the gross tonnage in accordance to the draft of this administration.
- 4.14.** There shall only be one DMLC Part I template for all vessel categories under the Panama Ships Registry.
- 4.15.** The Recognized Organizations authorized shall only act in accordance to the guidelines provided by the Resolution, which authorizes them in matters related to the Maritime Labour Convention, 2006, as amended (MLC).

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4.16. The Interim Maritime Labour Certificate may be issued for a period not exceeding six (6) months (A5.1.3.6/ A5.1.3.8 of the MLC).

4.16.1. A DMLC (Part I and II) need not be issued for the period of validity of the Interim Certificate (A5.1.3.8).

4.17. If at the time of carrying out the initial inspection required in Standard A5.1.3.1 of the MLC, it is not possible for the RO authorized and listed in the MMC 255 to immediately produce a the new MLC certificate on board the ship, may be issued a Provisional MLC Certificate and placed on board. The validity of this Provisional Certificate should not exceed five (5) months. The five months of validity of the Provisional Certificate shall be counted from the date of completion of the initial inspection and included within the five years period of validity of the Maritime Labour Certificate. This certificate must be identified with the nomenclature "Provisional Certificate".

4.17.1. If during the period of validity of the Interim Maritime Labour Certificate there is a change of RO, the gaining RO shall request an authorization to issue a conditional certificate, contacting the MLC Section through the e-mail: mlc@segumar.com, mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21).

4.18. Intermediate Inspection: During a RO change the validity of MLC certificate should not be affected, provide that the correspondent intermediate inspection has been carried out within its due date, therefore expire date of the MLC Certificate will remain the same. In this case after satisfactory results of the intermediate inspection a Provisional Certificate shall be issued, as a transitional measure until the correspondent Full-term Certificate is issued and placed on board. The validity of this Provisional Certificate must not exceed five (5) months. This process does not require for any authorization.

4.19. Intermediate inspection, do not require of a new DMLC Part I and II to be issued, unless a RO change is taking place at the same time of this intermediate inspection, then the DMLC Part II, is subject to endorsement by the inspecting RO.

4.20. The Maritime Labour Certificate must be endorsed at the end of the intermediate inspection according to the Standard A5.1.3 of the MLC.

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- 4.20.1.** When the DMLC Part I is requested by the legal representatives these should be the same that mentioned in the patent or ship registry of the vessel.
- 4.21.** When the initial, intermediate or renewal inspection are not completed within correspond periods, the requestor / recognized organization shall request authorization to issue a conditional certificate and must state the reason of this delay and properly detailed. A copy of the Maritime Labour Certificate and the two MLC financial securities updated shall be submitted. This authorization must be requested via email, contacting the MLC Section by using the e-mail mlc@segumar.com , mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21).
- 4.22.** 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. This request shall be placed to the following e-mail addresses mlc@segumar.com, mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21). Policy related Conditional Certificate in accordance is available in our MMC-156. Bear in mind that in case of authorizations of any type, both valid financial securities required by the MLC 2006, as amended shall be submitted as well as copy of the inspection report.
- 4.23.** All conditional MLC certificates issued, prior authorization will be subject to the provisions of circular MMC-324 regarding Control of the Issuance of Statutory Certificates´ Report and Administrative Fee.
- 4.24.** When the vessel is detained by the PSC, the RO´s shall request an authorization contacting the MLC Section through the e-mail mlc@segumar.com, mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21) to carry out an additional inspection submitting the valid Maritime Labour Certificate, both financial securities updated and the PSC report.
- 4.25.** The RO´s listed in the Circular MMC-255 may extend the validity of the Maritime Labour Certificate for a period not exceeding five months after the

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expiry date of the existing certificate, provided that the renewal inspection has been carried out according to the Standard A5.1.3.4 of the MLC. The format to be followed by the RO's will be the same as that found in the Appendix A5-II of the Convention and will be added to the maritime labor certificate and be available to the competent authorities.

- 4.26.** When the shipowner or operator intend to carry out the renewal or intermediate in advance of the maritime labour inspection without change or transfer Class or RO.

4.26.1. The Class or RO it is obliged to report the certificate to this administration as per our MMC-324.

4.26.2. When the ship-owner or operator intend to carry out the renewal or intermediate in advance of the maritime labour inspection, and the change or transfer from Class or RO will take place and the procedures established in our MMC-307 regarding Procedures for Transfer of Statutory and Class Certification should be followed.

4.26.3. In both cases it will not be necessary to request authorization for this Administration.

- 4.27.** This Administration inform all Recognized Organizations listed in the Circular MMC-255, that will not be necessary request an authorization to carry out the additional inspection or audit for the following cases:

- a) When the name of vessel changes
- b) When the gross tonnage changes
- c) When the physical address of the operator company changes
- d) When the name of the operator company changes

- 4.28.** The RO shall re-issue the Full-term or Interim Maritime Labor Certificate with same expiry date of the previous certificate.

- 4.29.** When the seafarer accommodations and recreational facilities on a vessel has been substantially altered according of the Standards or Guidelines of the MLC, will proceed in accordance with the provisions of the circular MMC-302.



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- 4.30.** The RO's authorized in the Circular MMC-255 may issue the Interim and Full-term Maritime Labour Certificate, and DMLC Part II, in accordance to Regulation 5.1.2 of the Maritime Labour Convention and the Resolution No. 106-118-DGMM of November, 2012. Any other must be previously authorized by the SEGUMAR Offices through the e-mail mlc@segumar.com, mlcassist@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21).
- 4.31.** The RO's will notify the invalidation the Maritime Labour Certificate (Interim or Full-term) to the following email addresses mlc@segumar.com, mlcassist@segumar.com and withdraws@segumar.com.
- 4.32.** The MLC Section or Segumar Offices will proceed to cancel the DMLC Part I in force.
- 4.33.** For purposes of the MLC the shipowner is not always the person indicated in the patent or registry of the vessel, DMLC Part II, Maritime Labour Certificate, financial securities, DOC, others. According to the National Legislation of Panama, Executive Decree No. 86 on February 22, 2013, whereby the Maritime Labour Convention is regulated, "Shipowner" is any natural person or legal entity who owns a ship, or any other organization, as for example the manager, the agent or bareboat charterer, who for the purposes of exploiting the ship has undertaken the responsibilities that concern the owner or another entity or person, and who, upon doing it, has accepted to comply with all the duties and responsibilities that correspond to Shipowners by virtue of the Maritime Labour Convention, 2006, as amended regardless of the organization or person who performs some of the duties or responsibilities on behalf of the Shipowner.

November, 2023 - Modified the Paragraphs 4.20 and 4.26.2.

November, 2023 - Renumbered and completely revised.

June, 2022 - New Paragraphs 21 and 22.

February, 2022 - Modified the Paragraph 20, Segumar Offices added.

December, 2021 - Modified Paragraphs 7 and 23.1

June, 2021 - Modified the Paragraphs 12, 12.1 and 12.2

March, 2021 - Modified the Paragraph 17.

March, 2021 - Modified the Paragraph 12, Paragraph 26 replaced.

November, 2020 - Modified the Paragraphs 20 and 21, according to the modification of the MMC 382.

August, 2020 - Modification of Paragraphs 17, 18, 20 and 21.



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April, 2020 - Modifications of Paragraphs 12, 21, 24 and 27 and inclusion of new paragraph 25.

March, 2020 - Modification of paragraphs 2 and 12 and inclusion of new paragraph 27.

February, 2020 - Modification of paragraphs 9 and 12.

September, 2019 - Modification of Paragraphs 18, 21 and 24.

June, 2019 - Modification of Paragraph 20 and paragraph 23 is deleted

January, 2019 - Modification of Paragraph 22 and included the news Paragraph 25

October, 2018 - Modification of Paragraph 16 and inclusion of new Paragraphs 17 and 22.

August, 2018 - Included the news Paragraphs 6, 7 and 21 and modified the Paragraph 12.

May, 2018 - Modification Paragraphs 1, 4, 8, 14, 15 and addition new paragraph 21.

May, 2018 - Modification on Point 10.

October, 2017 - Addition of new paragraph (19)

August, 2017 - Modification of Point 18.

August, 2017 - Addition of new paragraph (18)

October, 2016 - Modification of point 14

October, 2016 - Modification of point 6 and elimination the paragraphs 3, 17 and 18.

September, 2016 - Addition of new paragraph

June, 2016 - Modification of point 17 and addition of a two new paragraph (15 and 19)

August, 2015 - Modification of point 17 and addition of new paragraph.

March, 2015 - Modification of point 17

July, 2014 - Addition of new email address for Busan

July, 2013 - Correction of email address in point 15 (Piraeus, Greece)

April, 2013 - New point 16 and elimination of second paragraph on point 2

March, 2013.

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

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Website: <https://panamashipregistry.com/circulars/>