



Requirement for application for panama flag inspection

GENERAL DIRECTORATE OF MERCHANT MARINE CONSULTING AND RESOLUTIONS

Resolution N° 106-35-DGMM

The subscriber Director of the
General Directorate of Merchant Marine
In use of the faculties conferred by Law,

CONSIDERING

That the Law N° 39 dated 8 July 1976 established the Service of Mandatory Inspections for the vessels of International Service that sail under Panamanian flag in order to determine if they comply with the Safety Regulations by law and national or international regulations in force.

That through Resolution ADM-088-2008 dated August 20th, 2008 repeals the Resolution No. 106-308- DGMM of June 6th, 1999, which order the re-evaluation of the inspector listing performing the Services of annual Maritime Safety Inspection and command the General Direction of Merchant Marine to issue of a new resolution.

That these inspections are performed by naval inspectors working by the Panama Maritime Authority as well as naval inspectors working outside the national territory.

That the international agreements to which the Republic of Panama is subscribed, establishes that the Maritime Administration could perform vessel inspection or recognitions under its registry and through inspectors hired for that matter.

That is necessary to regulate the requirements to evaluate the foreign personnel who apply to perform the job as Maritime Safety Inspector of the General Directorate of Merchant Marine of the Panama Maritime Authority.

RESOLVES

FIRST: Establish the requirements for an ASI Inspector duly authorized by the Panama Maritime Authority in order to confirm their experience and capability to perform such service.

SECOND: All ASI applicants' evaluations to become inspectors are going to be performed by a Technical Commission conformed by:

1. Deputy General Director of Merchant Marine.
2. Chief of the Maritime Safety & Navigation Department or a person appointed by him.

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3. One Technical Inspector appointed by the Chief of Maritime Safety and Navigation Department.

This Technical Commission will meet every two months or as needed during this time period.

THIRD: The applicants who wish to perform duties as an ASI inspector must comply with the following requirements:

- 3.0
- 3.1 Fill out the ASI Inspector application Form (F-GPASI-01-01) that will be provided by the ASI section and pay the required fees.
- 3.2 Submit two (2) photos ID size.
- 3.3 Pay the corresponding fees according to the rates for that date.
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- 3.4 Provide copy of the Certificate of Proficiency that certified them as Merchant Marine Captain, Engine Room Chief, or Naval Officer.
- 3.5 Applicants must demonstrate its experience on their professional area in the last 3 years such as: inspections, vessels operations or similar.
- 3.6 The applicant who does not possess the Captain Title or Engine Room Chief shall present other Title which credits them as professionals of the Maritime Sector in the area of Naval Architecture, Naval Engineer, a Bachelor Degree in Nautical Engineering specializing in Navigation and Marine Transportation, a Bachelor Degree in Nautical Engineering specializing in Naval Engine with a three (3) years minimum experience or have participated on the United Nations Development Program "Project Pan 86/008" for the training as nautical inspector.
- 3.7 Present a Good Health Medical Certificate issued in the official format mode for that effect complying with the minimum requirements.
- 3.8 Present a Copy of Passport.
- 3.9 Due to the strength of the work, every applicant whose age is over 60 years must present a special medical certificate of Good Health with emphasis on the eye, ear evaluation; heart conditions (including effort exam), drugs, alcohol and comments on the applicant's physical condition provided by a Doctor who exerts his practices in the Republic of Panama. The applicant must take these tests yearly.

3.10 Applicants must submit the following updated training evidence at the time the application is submitted:

3.10.1 Inspectors training or

3.10.2 Training for Statutory Certificates.

3.10.2.1 International Load Line Certificate (ILL 66)

3.10.2.2 International Tonnage Certificate (ITC 69)

3.10.2.3 Cargo Ship Safety Construction Certificate (SAFCON)

3.10.2.4 Cargo Ship Safety Equipment Certificate (SAFEQ)

3.10.2.5 Cargo Ship Safety Radio Certificate (SARCE)

3.10.2.6 Certificates of Training related to MARPOL Annex 73/78

The following trainings are mandatory:

3.11 Certificate of the International Safety Management Code (ISM).

3.12 The International Ship and Port Facility Security Code (ISPS).

The following trainings are necessary for each particular case:

3.13 Liquefied Natural Gas Ship Training (LNG), in case of the inspection of this type of vessel.

3.14 Liquefied Petroleum Gas Ship Training (LPG), in case of the inspection of this type of vessel.

3.15 Chemical Ship Training, in case of the inspection of this type of vessel.

3.16 Ballast Water Management Training (Optional).

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3.17 The General Directorate of Merchant Marine might require objective evidence of related training to new agreements that will take effect in the future and are ratified by the Republic of Panama.

3.18 If the applicant has training on the Modules established by Resolution A. 789 (19) dated 23rd November 1995, should submit them. The validity of all these documents should be for a five (5) years period.

3.19 Due to the nature of the required services, The General Directorate of Merchant Marine might authorize or reject inspectors with all the required technical requirements.

FOURTH: The Applicants who the evaluation has been approved, an official Inspector Identification or Document will be issued to them valid for two (2) years. The ASI Official Inspector Identification Card will take effect at the time the ACT with the decision of the Evaluating Technical Commission is signed.

- FIFTH:** All the mentioned requirements in this Resolution must be notarized by an **authorized Public Notary or by a Panamanian General Consul abroad.**
- SIXTH:** In case the applicants are not eligible, they shall make the application process again including the corresponding payment according to the present fees.
- SEVENTH:** The Administration will provide up-dating training, and will evaluate the ASI inspectors every two years with the purpose of being able to pursue their continuous knowledge. This does not limit the inspector to take up-dating training courses by their own choice. Previously exposed it does not except to the Administration of being able to give training on new regulations that take effect during these two years, likewise it will provide all the summaries of the IMO meetings if it's considered necessary.
- EIGHT:** For the effects of the Article Third of this Resolution, the General Directorate of Merchant Marine will recognize the experience of the inspectors who at the time of the signature of the present Resolution are performing the service of the Annual Maritime Safety Inspection.
- NINETH:** All applicants who have been eligible will have to fulfil the dispositions contained in the agreement to sign with the General Directorate of Merchant Marine. In the cases of the ASI Inspector accreditation card renovation, the inspector will have to update his file by means of the presentation of objective evidence of training and a medical certificate: He will have to make the payment and submit two (2) photos ID size.
- The General Directorate of Merchant Marine will take in consideration the evaluation of performance of each inspector to renew the inspector's card.
- TENTH:** Every Maritime Safety Inspector is required to carry his valid official identification at the time of performing an inspection.
- ELEVENTH:** The administration will be able to cancel or reject any authorization or application when in opinion of the General Directorate of Merchant Marine is not convenient, is conflicting or has exposed evidence of which the inspector has failed to fulfil with the prescriptions established by this administration in the exercise of his duties.
- TWELFTH:** The list of authorized inspectors will be available at the management's offices responsible for the Maritime Safety Inspection Program for the effects of the Law.

THIRTEENTH: This Resolution will enter into force from its signature.

LEGAL BASE: Law No. 39 dated 8 July 1976
Decree – Law N° 7 dated 10 February 1998

NOTIFY, PUBLISH AND COMPLY

SIGNED
ENG. ALFONSO CASTILLERO
GENERAL DIRECTOR

AC/VA/MIM



**GENERAL DIRECTORATE OF MERCHANT MARINE
RESOLUTIONS AND INQUIRIES**

RESOLUTION No. 106-28-DGMM.

Panama, March 31, 2010

**THE SUBSCRIBED GENERAL DIRECTOR OF THE GENERAL DIRECTORATE OF
MERCHANT MARINE IN USE OF HIS LEGAL FACULTIES,**

CONSIDERING:

That the International Conventions to which the Republic of Panama is registered, establish that the Maritime Administration shall perform inspections, or surveys of ships under its registry and through surveyors appointed for such purpose.

That in this sense, Law No. 39 of July 8, 1976, established the obligatory Inspection Service for Foreign Service vessels that navigate under the Panamanian flag, in order to determine whether they comply with the safety regulations required by the current national and international laws and regulations.

That through Resolution ADM-088-2008 of August 20, 2008 it is derogated Resolution No. 106-308-DGMM of June 6, 1999 through which it is instructed a re assessment of the list of Inspectors who perform the Maritime Safety Annual Inspection Service and mandates that the General Directorate of Merchant Marine issues a new Resolution.

That in accordance to number 18, article 187 of Law No. 57 of August 06, 2008, it is the function of the General Directorate of Merchant Marine to establish the procedures for the inspections of the National Merchant Marine vessels, with the purpose to properly comply with the safety regulations for the prevention of environmental pollution and other obligations required by national law.

In the same way, number 19, article 187 of Law No. 57 of August 06, 2008, states that it is the function of the General Directorate of Merchant Marine to appoint and supervise the inspectors of the National Merchant Marine in order to verify the adequate compliance with the safety regulations, prevention of environmental pollution and other obligations required under the national law.

That based on this need to regulate the laws in order to evaluate the personnel that applies to perform the function of Maritime Safety Inspectors, this General Directorate issued Resolution No. 106-35-DGMM of August 22, 2008, through which are established the requirements to be Flag State Inspector duly authorized by the Panama Maritime Authority.

That we shall recall that these inspections are performed by naval inspectors that work in the Republic of Panama for the Panama Maritime Authority, and also by naval inspectors that work outside the national territory.

That in this sense, Resolution No. 106-35-DGMM of August 22, 2008, establishes as a requirement, in its Third article that applicants willing to render a service of Flagstate Inspection, whose age is 60 or older, must present a special health certificate, issued by a qualified doctor that exercises his or her practice in the Republic of Panama, of good physical and mental condition with the documentary proofs that certify that he has satisfactorily passed a complete physical test with emphasis in eye and hearing tests as well as cardiac (including stress test), drugs, alcohol and comments on the physical condition of the applicant provided by the specialist.

That this General Directorate is aware of the implied difficulty for the applicants to render a service of Flag state Inspection, whose age is 60 or more, to travel from their countries of origin to the Republic of Panama, in order to undergo such tests.

That based on the aforementioned exposed, this General Directorate considers necessary to modify Resolution No. 106-35-DGMM of August 22, 2008, in order to adapt it to the needs that we are currently facing,

RESOLVES:

FIRST: **MODIFY** article Third of Resolution No. 106-35-DGMM of August 22, 2008, which will be as follows:

"THIRD: Applicants that wish to render a service of Flag State Inspection must comply with the following requirements:

- Fill out the Application Registry for Inspectors ASI (**F-GPASI-01-01**) form, which will be provided by the ASI Section, and pay the stated amount for such purposes.
- Send 2 I.D. (carnet) size pictures.
- Make the corresponding payment in accordance to the current valid fee.
- Present copy of Competence Certificate that confirms them as Merchant Marine Captain or Chief of Engines or Merchant Marine Officer.

- Applicants must demonstrate their experience within their professional field in the last three (3) years, such as inspections, ships operations or the like.

- Applicants that do not hold a certificate of Captain or Chief of Engines, must present another certificate that confirms them as professionals of the maritime sector in the area of Naval Architecture, Naval Engineering, Nautical Engineering with specialization in Navigation and Maritime Transportation; a Bachelors Degree in Nautical Engineering with specialization in Naval Engines, with a demonstrable experience of at least three (3) years; or a participation in the United Nations Program for the Development of the "PAN 86/008 Project" for the training as nautical inspector.

- Present a certificate of good health in the official format issued for such purpose in compliance with the minimal requirements.

- Present a copy of passport.

- Given the nature of the service to be rendered, all applicants whose age is 60 years or older, must present a medical certificate, issued by a qualified doctor that exercises his or her practice in the Republic of Panama, of good physical and mental condition with the documentary proofs that certify that he has satisfactorily passed a complete physical test with emphasis in eye and hearing tests as well as **cardiac (including stress test)**, drugs, alcohol and comments on the physical conditions of the applicant provided by the specialist. The applicant must undergo such tests annually.

Under special circumstances addressing the needs of the market, the General Directorate of Merchant Marine, can accept medical certificates issued by a doctor of the country where the applicant inspector is.

- The following training evidences must be presented, as well as its corresponding updates, at the moment of performing the application:
 - Training for Inspectors, or
 - Training of Statutory Certificates:
 - International Convention on Load Lines (ILL 66).
 - International Tonnage Convention (ITC 69)
 - Cargo Ship Safety Construction Certificate (SAFCON).
 - Cargo Ship Safety Equipment Certificate (SAFEQ).
 - Cargo Ship Safety Radio Certificate (SARCE).
 - Certificate of Trainings Related to the different annexes of the Convention MARPOL 73/78.

The following trainings are of mandatory nature:

- International Safety Management Certificate (ISM).
- International Ship and Port Facilities Security (ISPS).

The following trainings are necessary for each case in particular:

- Liquefied Natural Gas (LNG) Training, in case this type of ship is to be inspected.
- Liquefied Petroleum Gas (LPG) Training, in case this type of ship is to be inspected.
- Training for Chemical Tankers, in case this type of ship is to be inspected.
- Training in Ballast Water Management (optional).

The General Directorate of Merchant Marine can require objective training evidence related to new Conventions that may entry into force in the future, and that are ratified by the Republic of Panama.

In case the applicant has training in the Modules established in Resolution A. 789 (19) of November 23 of 1995, he must present them. The validity of all these trainings must be of 5 (five) years.

Given the nature of the service to be rendered, the General Directorate of Merchant Marine shall authorize or not inspectors that comply with all the mandatory technical requirements."

SECOND: **ALERT** that the rest of the Resolution No. 106-35-DGMM of August 22 2008, maintains all its parts.

THIRD: This Resolution will be effective after its signature.

LEGAL BASIS:

Law No. 57 of August 06, 2008.
Law No. 39 of July 08, 1976.
Decree Law No. 7 of February 10, 1998.
Resolution No. 106-35-DGMM of August 22, 2008.

PUBLISH IT, COMMUNICATE IT AND COMPLY WITH

ENG. ALFONSO CASTILLERO
General Director