



**MERCHANT MARINE GENERAL DIRECTORATE
RESOLUTIONS AND CONSULTATIONS**

RESOLUTION No. 106-32-DGMM

Panama, September 23rd, 2009.

**THE UNDERSIGNED DIRECTOR
OF THE GENERAL DIRECTORATE OF MERCHANT MARINE
IN USE OF THE POWERS CONFERRED TO HIM BY LAW AND**

CONSIDERING:

That the law No. 39 of July 8, 1976 established the Obligatory Inspection Service for the vessels of international service under the Panamanian Law and that are dedicated to the international commerce and other lucrative activities, in order to determinate if they attain with the existing security norms requested by law and the existing national and international regulations.

That by means of circular No. 26/78 of September 25, 1978 are regulated the inspections of vessels older than twenty (20) years of being constructed.

That by means of circular No. 101-03-04-SDGMM of March 7, 2006, is extended the contents of the circular No. 26/78 of September 25, 1978.

The by means of law No. 57 of August 6, 2008 is created the General Law of Merchant Marine.

That in the article 117 of the Law 57 of August 6, 2008, it is established that every vessel registered in the Merchant Marine will be subject to a Annual Security Inspection in order to verify the fulfilment of the existing international and national regulations.

Additionally, that the article above mentioned, it is established that said vessels will be subject of ordinary or extraordinary inspections or re-inspections when the General Directorate of Merchant Marine considers it convenient.

That by means of Resolution No. 106-37-DGMM of September 1, 2008, in its First Article, the General Directorate of Merchant Marine, approves the use of circulars of Merchant Marine for the announcement of the criteria, instructions, orders and notices of the General Directorate of Merchant Marine, as well as, to communicate the interpretation of the legal disposals and international regulations.

That in the article 4 of the resolution No. 106-37-DGMM of September 1st, 2008 the General Directorate of Merchant Marine recognizes the juridical validity of all the circulars of Merchant Marine published before the validity of the resolution before mentioned.

That based on the aforementioned and according with the International Covenants that the Republic of Panama is subscribed; this General Directorate of Merchant Marine considers unnecessary the use of the circular 26/78 of September 25, 1978. Since said circular was issued more than 20 years ago and its purposes do not concurred with the actual requirements of the maritime market.

That the Maritime Administration, through the General Directorate of Merchant Marine has developed additional and more efficient mechanisms for the monitoring of the vessels older than 20 years, as the Security Annual Inspection, the Port State Control Inspections etc, that have the purpose of determinate the conditions of navigability of the vessel, reason why

RESOLVES:

FIRST: To adopt the new requirements for the obtainment of the Reglamentary Patent, as well as, renewal of patent and extension of patent.

SECOND: To establish as obligatory requirement for all the vessels under the National Merchant Marine, that require obtaining the Reglamentary Patent, Renewal of Patent or Extension of Patent, to have a valid Annual Security Inspection, understanding that the inspection won't have more than 12 months.

THIRD: In cases which the vessels are in a distant or inaccessible places to the naval inspectors or other authorized technical personal of any nationality, the General Directorate of Merchant Marine could dispense the Annual Security Inspection for the obtainment of the Reglamentary Patent, Renewal of Patent or Extension of Patent, always that, the owners, the shipbuilders, operators, or Legal Representatives of the vessel probes that they are doing all necessary arrangements to coordinate the Annual Security Inspection with the Flag Inspection Section of the Navigation and Maritime Security Department.

FOURTH: To Warn the owners, shipbuilders, operators and legal representatives that the vessels regulated by the previous article, should coordinate the Annual Security Inspection with the Flag Inspection Section of the Navigation and Maritime Security Department, as soon as they arrive to the next convenient port.

FIFTH: in case of MODUS vessel type that are located at remote or inaccessible places to the naval inspectors or other authorized technical personal of any nationality, the General Directorate of Merchant Marine could replace the Annual Security Inspection by the Inspection Report prepared by a Recognized Organization duly authorized by Panamá, together with the MODUS certificate, which should be presented by the owners, shipbuilders, operators o legal representatives of the vessel.

SIXTH: To Communicate the information of the present Resolution to all Departments within the General Directorate of Merchant Marine, International Offices of the Maritime Authority of Panamá before the International Maritime Organization, the Privative Counsels of the Merchant Marine and the users of the Panamanian Registry.

SEVENTH: the present Resolution revokes Circular No. 26/78 dated September 25th of 1978 and Circular No. 101-03-04-SDGMM dated March 7th of 2006.

EIGHT: this Resolution will be valid upon signature.

LEGAL BASE:

Law No.39 dated July 8th of 1976
Circular No. 26/78 dated September 25th of 1978
Circular No. 101-03-04-SDGMM dated March 7th of 2006.
Law No.57 dated August 6th of 2008
Resolution No.106-37-DGMM dated September 1st of 2008

BE IT NOTIFIED, PUBLISHED AND COMPLIED WITH

(appears illegible signature)
ING. ALFONSO CASTILLERO
General Director

AC/JLC/RJ/ss