



PANAMA MARITIME AUTHORITY

MERCHANT MARINE CIRCULAR MMC-308

PanCanal Building
Albrook, Panama City
Republic of Panama
Tel: (507) 501-5355
jortega@segumar.com

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

Subject: Entry into force of the Nairobi International Convention on the Removal of Wrecks

Reference: Nairobi International Convention on the Removal of Wrecks

1. The purpose of this Merchant Marine Circular is to provide the guidelines to be followed in order to obtain the Nairobi International Convention on the Removal of Wrecks, taking into account that this Convention will enter into force on 14 April 2015 as well as the firm interest of this Administration to ratify the said Convention in the near future.
2. As the Nairobi International Convention on the Removal of Wrecks establishes it in Article 12.1 *“the registered owner of a ship of 300 gross tonnage and above and flying the flag of a State Party shall be required to maintain insurance or other financial security, such as a guarantee of a bank or similar institution, to cover liability under this Convention in an amount equal to the limits of liability under the applicable national or international limitation regime, but in all cases not exceeding an amount calculated in accordance with article 6(1)(b) of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended”*.
3. Being also that the Nairobi International Convention on the Removal of Wrecks, on Article 12.2 establishes that *“a certificate attesting that insurance or other financial security is in force in accordance with the provisions of this Convention shall be issued to each ship of 300 gross tonnage and above by the appropriate authority of the State of the ship’s registry after determining that the requirements of paragraph 1 have been complied with”*. And also that, States that have already ratified the Convention may not allow vessels, to which this convention applies, to enter or leave their ports upon entry into force of this convention.
4. Until this Administration finalizes the formal process of ratifying the Nairobi International Convention on the Removal of Wrecks, Owners/Operators, or Representatives of Panamanian flagged vessels are strongly urged to follow the procedures set up by this Administration:

Prepared by: Translator	Revised by: Compliance and Enforcement Deputy Chief	Approved by: Compliance and Enforcement Chief
Control N°: F-RIN-04-01	Version: 05	Date: 21 January, 2013
		Page 1 of 3

- 4.1 This Administration informs that it will only recognize those certificates that are issued by the maritime administrations of United Kingdom, Palau and the Cook Islands. Any of these administrations will issue a Certificate of Insurance or other Financial Security in Respect of Civil Liability for Nairobi International Convention on the Removal of Wrecks to vessels flying the Panamanian flag.
- 4.2 In order to obtain the certification through the United Kingdom Administration you must fulfill the requirements described on the [Marine Information Note MIN499 \(M + F\)](#)
- 4.3 In order to obtain the certification through the Palau Administration, you should address your request to the following contact:

PALAU INTERNATIONAL SHIP REGISTRY
 16701 Greenspoint Park Drive, Suite 155
 Houston, Texas, 77060
 P: 281 876 9533
 Email: technical@palaushipregistry.com
 Person in charge: Marisabel Arauz Park, Technical Manager
- 4.4 In order to obtain the certification through the Cook Islands Administration you must fulfill the requirements described on the following link <http://www.maritimcookislands.com/applying-for-nwrc-certificates.html>
- 4.5 Please be advised, that the certificate issued by Cook Islands, Palau and the United Kingdom shall be accepted by the other Parties of the Convention due to the fact that all three Administrations have ratified this Convention.

- 5. Notwithstanding the above, owners may seek compliance with article 12 as specified in the International Convention on Civil Liability for Nairobi International Convention on the Removal of Wrecks; but the Panama Maritime Authority can not give support to owners/operators facing problems trying to get the certification through the authority of a State Party different than the above mentioned Administrations.
- 6. Additionally according to article 12(13) of the Convention vessels are permitted to carry electronic format of the Certificate under the conditions stated therein, therefore this Administration has no objection to any Panama ship carrying an electronic Certificate of Insurance or other Financial Security in Respect of Liability for the Removal of Wrecks until such time as the Convention enters into force for Panama, furthermore it is important to clarify that the acceptability of electronic Certificate of Insurance or other Financial Security in Respect of Liability for the Removal of Wrecks on Panama Ships prior the entry into force of the Convention to Panama is a matter for the issuing Certificate Contracting State and the local authorities in the Contracting State where the vessel is operating.

Note: This procedure shall be considered until Panama ratifies the Nairobi International Convention on the Removal of Wrecks. Once Panama ratifies this Convention, this Administration

<i>Prepared by: Translator</i>	Revised by: Compliance and Enforcement Deputy Chief	<i>Approved by: Compliance and Enforcement Chief</i>	
<i>Control N°: F-RIN-04-01</i>	<i>Version: 05</i>	<i>Date: 21 January, 2013</i>	Page 2 of 3

will notify all vessels flying the Panamanian flag the procedures to be followed in order to obtain the Nairobi International Convention on the Removal of Wrecks issued by this Administration, which will be valid throughout the validity of the insurance or other financial security. However, if the vessel is holding a certificate issued by another Member State, it will be valid until its expiry date.

April, 2015 – new paragraph 6 added.

February, 2015 – correction on paragraph 5

January, 2015

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

Directorate General of Merchant Marine

Panama Maritime Authority

Phone: (507) 501-5348 / 5350

Fax: (507) 501-5363/5364

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

SEGUMAR-Panama

Directorate General of Merchant Marine

Panama Maritime Authority

Phone: (507) 501-5348 / 5350

Fax: (507) 501-5363 / 5364

E-mail: jortega@segumar.com ; deputychief@segumar.com

<i>Prepared by: Translator</i>	<i>Revised by: Compliance and Enforcement Deputy Chief</i>	<i>Approved by: Compliance and Enforcement Chief</i>	
<i>Control N°: F-RIN-04-01</i>	<i>Version: 05</i>	<i>Date: 21 January, 2013</i>	Page 3 of 3