



**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