

REPUBLIC OF PANAMA

Ministry of Finance and Treasury

Office of the Directorate of Merchant Marine Circular No. 39

Consular and Maritime Affairs

To: Shipowners/Operators of Panamanian Vessels
Subject: Exemption from the Requirements of International Conventions and National Regulations
Reference: Resolution No. 614-440-ALCN of August 11, 1980 Resolution No. 614-33-ALCN of February 19, 1982

1. The issuance of exemptions and authorizations for temporary non-compliance is the exclusive prerogative of the Directorate General of Consular and Maritime Affairs. Consulates are not empowered to authorize exemptions or other matters of a technical nature regarding Panamanian vessels. See also Merchant Marine Circulars No. 15 and 50 relative to the issuance of technical certificates to Panamanian vessels.

2. Exemptions shall be classified in three groups, as follows:

a. Exemptions to the Requirements of International Conventions: These are exemptions either of a general or of a specific character which are provided under the convention.

Requests for the issuance of a Certificate of Exemption shall be sent to the directorate of Consular and Maritime Affairs, N.Y. Representative Office by the ship's owner/operator or his legal representative. When a Class Society or other recognized organization subsequently issues certificates which are affected by the requested exemptions, the recognized organizations must confirm its agreement with the requested exemption. Alternatively, the Class Society or the recognized organization may directly request the exemption on behalf of the owner.

Requests must be made for each individual vessel separately and must include:

- i. Name of vessel, call letters and tonnage (GRT).
- ii. Regulations from which exemption is requested.
- iii. Prescriptions by virtue of which the exemption is requested.
- iv. Reasons for requesting the exemption and justification that safety measures appropriate to the intended service will be taken.
- v. Expiration date of technical certificate(s) affected by the requested exemption.

In special cases, the Directorate General of Consular and Maritime Affairs may authorize Class Societies or other organization to issue exemption certificates with a validity not to exceed sixty (60) days.

a. Exemptions to the Requirements of the Rules for Cargo Vessels under 500 GRT: These are exemptions either of a general or of a specific character which are provided for under the rules. Requests for the issuance of an exemption shall be sent to the Administration by the ship's owner/operator or his legal representative. When a Class Society or a recognized organization will subsequently issue certificates which are affected by the requested exemptions, they must confirm its agreement with the requested exemption. Alternatively, the Class Societies and recognized organization may directly request the exemption but, in this case, no exemption shall be issued without the written agreement of the ship's owner/operator or his legal representative. Request must be made for each individual vessel separately and must include:

- i. Name of vessel, call letters and GRT.
- ii. Regulations for which exemption is requested.
- iii. Reasons for requesting the exemption and justification that safety measures appropriate to the intended services will be taken.

a. Temporary Non-Compliance: When, due to cause of "force majeure," a vessel cannot comply with some requirements of a convention or the rules, the Administration may authorize the Class Societies or the Recognized Organization which has issued the vessel's technical certificates to endorse such certificates allowing the vessel to proceed to a port where the necessary repairs may be carried out, without exceeding a non-extendable period of sixty (60) days.

Requests must be sent to the New York Representative Office and must include all relevant particulars, including the proposed alternative safety measures.

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Inquiries concerning the subject of this Circular should be directed to:
Directorate of Consular and Maritime Affairs, New York Representative Office,
Republic of Panama, 1180 Avenue of the Americas, 23rd Floor
New York, New York 10036, U.S.A.