

PANAMA MARITIME AUTHORITY
RESOLUTION J.D. No. 011-2005
(JULY 25th, 2005)



THE BOARD OF DIRECTORS OF THE PANAMA MARITIME AUTHORITY in use of their legal faculties

CONSIDERING

That the Republic of Panama is a member of the International Labour Organization (ILO) and signatory of Convention 68 regarding Food and Catering on board the vessel, Convention 92 regarding Crew Accommodation on board and Convention 126 regarding Accommodation on board the fishing vessels, therefore the Panama Maritime Authority, through the General Directorate for Seafarers, shall guarantee that vessels under Panamanian Flags comply with national and international regulations in force;

That by means of Resolution No. 614-257-ALCN dated August 31st, 1984; it was established that vessels are obliged to carry on board the Certificate of Inspection of Crew Accommodation (CICA), the proceeding to issue these certificates, as well as the complementary regulation regarding crew accommodation and catering for vessels with Panamanian Registry.

That by means of Law Decree 7 dated February 10th, 1998, the Panama Maritime Authority is created and among its duties are guaranteeing the strict compliance of the legal and statutory regulations related to the Maritime Sector.

That by means of Law Decree 7 dated February 10th, 1998 the General Directorate for Seafarers is created and among its responsibilities it is required to guarantee the strict compliance and the effective implementation of the national or international Maritime Labour Regulations, related to labour conditions, life and accommodation of Seafarers on board the vessel holding a Panamanian Flag.

That the General Directorate for Seafarers requires effective mechanisms in order to verify and control the level of capacity required by a vessel to provide accommodation to the crew on board.

That pursuant to numeral 9, article 18 of Law Decree Law 7 dated February 10th, 1998, the Board of Directors of the Panama Maritime Authority shall organize, regulate, determine, fix, alter and impose charges and fees for services rendered by this institution.

That in order to regulate in one single text the mechanisms to issue a Certificate of Inspection of Crew Accommodation (CICA) and pursuant to the International Agreements ratified by the Republic of Panama and the national legislation in force, the following parameters to issue said certificates are established, therefore:

RESOLVES

ARTICLE ONE: All vessels under the Panamanian Registry shall have on board at all times, a "Certificate of Inspection of Crew Accommodation (CICA)", valid and issued by the General Directorate for Seafarers.

This Resolution shall not be applied to the following vessels:

- a. Pleasure yachts not intended to commercial use.
- b. Fishing vessels with less than 75 tons of gross registry.
- c. Vessels of any type and size that operate exclusively on ports, roads, rivers and estuaries.
- d. Vessels without crew.

ARTICLE TWO: The General Directorate for Seafarers shall only process the applications regarding the issuance of a Certificate of Inspection of Crew Accommodation (CICA), to such classifying societies or technical companies authorized by the Panama Maritime Authority and duly established pursuant to Panamanian laws, having their technical staff trained in our country and carrying out the approval of the plans, calculations and acknowledgements of said accommodations, operating from Panama.



ARTICLE THREE: In order to obtain the Certificate of Inspection of Crew Accommodation, Panamanian vessels shall successfully pass a plan approval and an initial acknowledgement of the crew accommodations in order to confirm that the vessel complies with the regulations in force.

If a vessel has successfully passed the acknowledgements stated on the foregoing paragraph, the authorized organization may issue a provisional or interim compliance certificate, valid for a maximum of five (5) months, stating the issuance and expiration dates, the port, printed name and signature of the inspector who carried out the inspection.

Subsequently, a statutory Certificate of Inspection of Crew Accommodation shall be issued, which shall be valid for four (4) years counted from the date the technical acknowledgement is concluded, after this time period the vessel shall be submitted to a new acknowledgement for the renewal of the certificate.

ARTICLE FOUR: The certificate will cease to be valid:

1. If there are any changes made to the characteristics of the vessel such as: name of the vessel, patent number, call letters, gross tonnage, service to which it is engaged in, as well as any other changes which may affect the life thereof.
2. If there are any changes to the vessel's crew accommodation that may cause a substantial change to the issuance conditions of the certificate.

The shipowner of each vessel shall be responsible for informing any changes made to the characteristics of the vessel as well as to the crew accommodation that may affect the life of the certificate, for which the authorized technical company shall carry out again the proceedings in order for the new Certificate to be countersigned by the General Directorate for Seafarers, stating that the vessel complies with the necessary requirements to be issued.

Once the application is received and after the final technical verifications, the General Directorate for Seafarers shall proceed to countersign the corresponding statutory certificate.

ARTICLE FIVE: The General Directorate for Seafarers prior to the report of the authorized technical company, shall determine to what extent the technical prescriptions of the conventions can be applied in such cases where vessels cannot reasonably comply with the general level of requirements of the conventions and they pertain to one of the following categories:

- a. Vessels built before the Conventions came into force.
- b. Vessels with less than 500 TRB that are not fishing vessels.
- c. Tugs, vessels with principal sail propulsion (although they may have auxiliary engine propulsion) and vessels engaged in whale catching.

Cargo vessels with less than 500 tons of gross registry are not required to obtain a Certificate of Inspection of Crew Accommodation, but may obtain it voluntarily.

Cargo vessels between 200 and 500 tons of gross registry, that do not carry the Certificate of Inspection of the Crew Accommodation shall be subject, however, to inspections of crew accommodation along with the safety acknowledgement established by Decree No. 45 dated December 21^{st.}, 1981 and those applied by Convention 68 and 92 of the ILO.

ARTICLE SIX: Vessels shall carry on board a copy of a "Record of Approved Crew Accommodations Details" stating the actual provisions on board the vessel at the time of the issuance of the certificate and one copy of the report of the last acknowledgement of crew accommodation, both issued by the authorized technical company.

ARTICLE SEVEN: The General Directorate for Seafarers may carry out audits to authorized technical companies in order to verify the technical documentation and/or requests clarifications regarding the provisions on board any vessel, if deemed necessary.



The General Directorate for Seafarers reserves the right to request from, the authorized technical company or from other proper experts, the performance of special inspections to the crew accommodations on any Panamanian vessel when there has been any claims or complaints regarding the term stated by law or if there is any supported suspicion that the vessel does not comply with the regulations in force.

ARTICLE EIGHT: Statutory Certificates of Inspection of Crew Accommodation shall submit in a format consisting of one (1) original and no less than (3) three copies, and which shall contain the following:

1. Number of the Resolution whereby the company is authorized to issue the Accommodation Certificates;
2. Number of the Resolution whereby the proceeding for the issuance of the Certificate if Inspection of Crew Accommodation is regulated;
3. International Conventions ratified by the Republic of Panama related to the ILO;
4. Consecutive number of CICA appointed to each authorized technical company;
5. Name of the vessel;
6. Service to which it is engaged in;
7. Call letters;
8. Gross tonnage;
9. Port of registry;
10. Year of construction and date on which keel was laid;
11. Number of crew member on board;
12. Coat of arms of the Republic palely drawn in the background of the Certificate;
13. Company Logo;
14. Date when the Certificate becomes valid;
15. Expiration date of the Certificate;
16. Name of the Director General for Seafarers and one space for his/her signature.

ARTICLE NINE: Besides the original copy of the statutory certificate, which shall be carried on board the vessel at all times, the requested copies by this Resolution shall be distributed in the following manner: a copy for the vessel's file kept at the Directorate of Merchant Marine, and the rest along with the original copy shall be delivered to authorized technical company.

ARTICLE TEN: The General Directorate for Seafarers shall not accept photocopies of the original as a replacement of the aforementioned format.

ARTICLE ELEVEN: The formats of the Statutory and Provisional or Interim Certificates submitted by technical companies authorized to this General Directorate, shall be duly identified by the company and shall have a printed sequence number related to the amount issued by the company.

ARTICLE TWELVE: The authorized technical company upon submitting the Statutory Certificate to obtain the signature of the General Directorate, must attach a copy of the Provisional or Interim Certificate issued to the vessel at the time of its inspection, the Crew Accommodation Survey Report (CASR), and the Record of Approved Crew Accommodation Details (RACAD), if applicable

ARTICLE THIRTEEN: Every Certificate of Inspection of Crew Accommodation (CICA) that has been countersigned by the General Directorate for Seafarers and picked up by the authorized technical company; and for any reason issued and endorsed again by this institution, must make a payment according to the rate described in article fourteen in order to obtain a renewal and it shall be filed with the annotation of Duplicate in the "Remarks" box, so that it can be duly countersigned.

ARTICLE FOURTEEN: The cost of the Certificate of Inspection of Crew Accommodation for Panamanian vessels shall be established according to the following rates:

Number of Crew members on board the vessel	Initial Certificate	Consecutive or Renewal Certificates
Up to 15	B/. 150.00	B/. 60.00

16 to 50	200.00	75.00
51 to 150	300.00	100.00
151 and up	450.00	150.00



ARTICLE 15: The General Directorate for Seafarers may issue an Exemption Letter to the provisions of Conventions 68, 92 and 126 of the ILO, upon request of the interested party.

ARTICLE 16: The General Directorate for Seafarers establishes the sum of one hundred twenty-five balboas (B/. 125.00) as the payment for the issuance of the provisions of the foregoing article.

ARTICLE 17: The collection of such payment shall be made by the authorized technical companies, which have carried out the acknowledgement, for the issuance of the corresponding certificate and/or requests an exemption letter, and the payment shall be made in favor of the Panama Maritime Authority

ARTICLE 18: The General Directorate for Seafarers may regulate. By means of Circulars, the contents of the provisions of this Resolution.

ARTICLE 19: This Resolution revokes Resolutions 614-257 ALCN dated August 31st, 1984, 614-318 ALCN dated October 25th, 1984, 603-04-07 ALCN dated January 14th, 1985, 603-04-236 ALCN dated November 20th, 1985, 603-04-230 ALCN dated November 20th, 1986, 603-04-196 ALCN dated October 23rd, 1991, and any other contrary resolution.

ARTICLE 20: This Resolution shall become in force from the date of its signature and shall become effective from the date of its publication on the Official Gazette.

LEGAL BASIS: Cabinet Decree No. 44 dated February 26th, 1971.
 Cabinet Decree No. 50 dated February 26th, 1971.
 Cabinet Decree No. 57 dated February 26th, 1971.
 Law Decree No. 7 dated February 10th, 1998.

BE INFORMED, PUBLISHED AND COMPLIED WITH

Given in the City of Panama, on the twenty-sixth day of the month of July in the year two thousand five (2005).

THE PRESIDENT
 (Sgd.) U. Real
 UBALDINO REAL
 MINISTRY FOR THE PRESIDENCY

THE SECRETARY
 (Sgd.) Ruben Arosemena
 RUBEN AROSEMENA
 ADMINISTRATOR OF THE
 PANAMA MARITIME AUTHORITY