



**PANAMA MARITIME AUTHORITY
(AUTORIDAD MARÍTIMA DE PANAMÁ)
GENERAL DIRECTORATE OF MERCHANT MARINE
(DIRECCIÓN GENERAL DE MARINA MERCANTE)
DEPARTMENT OF CONTROL AND COMPLIANCE
(DEPARTAMENTO DE CONTROL Y CUMPLIMIENTO)**

F-265
(DCCM)
V.00



MERCHANT MARINE CIRCULAR MMC-264

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

Subject: Maritime Labour Convention, 2006 (MLC, 2006), On-Board Complaints Procedure.

Reference: Law 2 of January 6, 2009
Law 57 of August 6, 2008

1. The purpose of this circular is to inform users of the Panamanian Registry that as per the On-Board Complaints procedure established by the Maritime Labour Convention, 2006 (MLC, 2006), all Panamanian ships must keep on board the procedure for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the provisions of the Maritime Labour Convention, 2006 (MLC, 2006) (including seafarers' rights) and also a copy shall be kept in English or the language spoken on board.
2. Seafarers may use the On-Board Complaints procedures to lodge complaints related to any matter that is alleged to constitute a breach of the provisions of the Maritime Labour Convention, 2006 (MLC, 2006).
3. Each vessel or company shall develop the On-Board Complaints procedures for the processing of complaints on-board.
4. Seafarers have the right to present their complaints directly to the master and, if necessary, to the competent alien authorities, understanding as these, the Port or Flag State Control surveyors.
5. The On-Board Complaints procedures shall include the right of seafarers to be accompanied or represented during the procedure for the processing of complaints, as well as to be protected against the possibility of harassment of seafarers for filing complaints. The term "harassment" covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly abusive or maliciously made.
6. Every Panamanian flagged vessel shall provide seafarers with a copy of the On-Board Complaints procedure applicable, along with a copy of their employment agreement. The On-Board Complaints procedure shall include the competent authority contact information in the flag State and the seafarers' country of residence, if different from the State, as well as the name of one or more persons on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaints and also assistance regarding the procedure for the processing of complaints available on board the ship.
7. The process of complaints begins when seafarers first refer to the head of the department of the seafarer lodging the complaint or to the seafarer's superior officer; the head of department or superior officer should then attempt to resolve the matter within prescribed time limits on board the ship, which shall not exceed five (5) days.

8. If the head of department or superior officer cannot resolve the complaint to the satisfaction of the seafarer, the latter may refer it to the master, who should handle the matter personally; seafarers should at all times have the right to be accompanied by another seafarer of their choice on board the ship concerned.
9. The vessel shall keep on board a record book for complaints, were all of these as well as the decisions made related to the same, should be recorded. Also a copy of this shall be provided to the seafarer; if a complaint cannot be resolved on board, the matter should be referred ashore to the shipowner, who will have a period of eight (8) days, to resolve the matter, in consultation with the concerned seafarer or any person they may appoint as their representative; and in all cases, Seafarers shall have the right to submit the complaint directly to the master and the Shipowner, as well as to the competent authorities, being understood as such the flag state inspectors, port state inspectors, representatives of the Competent Authority in a foreign country or directly to the offices of the General Directorate of Seafarers.
10. If within the period of eight (8) days, the complaint on board has not been resolved, then the period shall be extended for twenty two (22) more additional days, with the sole purpose to find a favorable solution, which shall be recorded on the registries of the ship and be available to the competent authorities.
11. Any kind of harassment against seafarers filing complaints is banned.
12. Seafarers may directly file their complaints by sending the Complaints Handling Form to labormar@amp.gob.pa.
13. Point of Contact labormar@amp.gob.pa Tel. (+507) 501-5059 Department of Maritime Labour Affairs.

May, 2019 – Change of Annex Complaint Form (F-30 ALM V.02).

August, 2016 - Annex Complaint Form (F-ALM-01-01).

August, 2015- Change of email address on points 12 and 13

September, 2014 – Change of email address on points 12 and 13

December, 2013 - Modification of point 12 and 13

May, 2013 – Modification of point 9 and addition of new point 12.

February, 2013 – Addition of second paragraph in point 9.

January, 2013

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

Maritime Labour Affairs Department

General Directorate of Seafarers

Panama Maritime Authority

Phone: (+507) 501-5059 / 5067

Fax: (507) 501-5210

E-mail: labormar@amp.gob.pa

AUTORIDAD MARÍTIMA DE PANAMÁ
(Panama Maritime Authority)
DIRECCIÓN GENERAL DE LA GENTE DE MAR
(General Directorate of Seafarers)
DEPARTAMENTO DE ASUNTOS LABORALES MARÍTIMOS
(Maritime Labour Affairs Department)



FORMULARIO DE QUEJA | COMPLAINT FORM

Queja #: _____ Fecha: _____
Complaint #: _____ Date: _____

INFORMACIÓN DEL REMITENTE (si la queja no es enviada por el tripulante) |
Sender's Information (if the complaint is not submitted by the crew member)

1. Nombre: _____
Name: _____
2. Dirección / número telefónico / correo electrónico: _____
Address / telephone number / e-mail: _____

INFORMACIÓN DEL TRIPULANTE | Seafarer's Information

3. Nombre: _____ 4. Nacionalidad: _____
Name: _____ Citizenship: _____
5. No. de Licencia: _____ 6. Cargo: _____
Seaman's Book No.: _____ Capacity/Rank: _____
7. Dirección / número telefónico / correo electrónico: _____
Address / telephone number / e-mail: _____

DATOS DEL CONTRATO | Contract Details

8. Tipo de Contrato | Type of Contract: Definido Indefinido Por Viaje 9. Salario: _____
Defined Indefinite Per Voyage Salary: _____
10. Fecha de inicio 11. Fecha de Terminación:
Sign on: _____ Sign off: _____

DATOS DEL BUQUE | Vessel Details

12. Nombre del Buque: _____ 13. No. de IMO: _____
Vessel's Name: IMO Number: _____
14. Patente: _____ 15. Distintivo de llamada: _____
Patent: Call Sign: _____
16. Nombre del Armador: _____
Shipowner's Name: _____
17. Dirección / número telefónico / correo electrónico: _____
Address / telephone number / e-mail: _____
18. Representante Legal / Agente Residente: _____
Legal Representative/ Resident Agent: _____
19. Ubicación del Buque: _____
Vessel's location: _____
20. Resumen de la Queja | Complaint Summary: _____

Si la queja es presentada personalmente en el Departamento, el quejoso deberá firmar el presente documento, como constancia de la queja presentada.
If the complaint is submitted personally at this Department, the complainant must sign this form, to keep it as a record.

Firma (signature)

Adjuntar el contrato de enrolamiento o cualquier otro documento que compruebe la relación laboral o sustente la queja presentada
Please attach the employment contract or any document that verifies the labor relation or underpins the complaint submitted

Departamento de Asuntos Laborales Marítimos | Maritime Labour Affairs Department
Tel. +507 501-5059 | +507 501-5210
e-mail: labormar@amp.gob.pa