



PANAMA MARITIME AUTHORITY
MERCHANT MARINE CIRCULAR MMC-265

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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) - Occupational Groups (DEFINITIONS).**

Reference: **Maritime Labour Convention, 2006 (MLC, 2006)**

1. The purpose of this Circular is to identify which person or category of persons may be considered as “Seafarer”, and which as “Shipowner”, for application purposes of the Maritime Labour Convention, 2006 (MLC, 2006), once it enters into force.
2. That the term *Seafarer or Seaman* refers to “Any person, including the master, who is employed or engaged or works in any capacity on board a ship”.
3. If there is any doubt related to the condition of seafarer of any person category, the matter shall be resolved by the Panama Maritime Authority, upon corresponding consultation with the shipowners organizations and seafarers concerned.
4. That as per national regulations, the following persons or category of persons are not considered as seafarers:
 - Port pilots
 - Port workers
 - Ship Surveyors
 - Superintendents
 - Workers subject to the special working regime of the Panama Canal Authority.
 - Technical staff operating offshore drilling platforms or MODU; except those individuals that because of their training and qualifications, are covered by the provisions of the STCW Convention.
 - Armed personnel
 - Scientists
 - Researchers
 - Divers
 - Cadets
 - Specialist off-shore technicians, and others whose work is not part of the routine operation of the ship

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- Any other person or category of persons as indicated by the Administration.
5. Also, national regulations defines a *Cadet* as “An aspiring merchant marine officer, whose training program includes the improvement of academic and professional skills, as well as the formation of attitudes and behaviors under the observance and strict compliance of rules, regulations and existing orders.”
 6. A *Shipowner* “is any natural or legal person, owner of a ship or another organization, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with the Maritime Labour Convention, (MLC, 2006) regardless of whether any other organization or persons fulfil certain of the duties or responsibilities on behalf of the shipowner”.
 7. That the working relationships on board Panamanian flagged vessels exclusively navigating within interior waters, regardless of the patent type, shall be regulated by the provisions of the Decree Law No. 8 of 1998 whereby work at sea and in navigable waterways is regulated.
 8. In case of doubts about the requirements for the categories of personnel that are not considered seafarers, please contact your nearest Panamanian Merchant Marine Consulate, who follows the guidance provided by the corresponding Regional Seafarer Documentation Offices and the General Directorate of Seafarers.

September, 2014 – change of email address on email below

September, 2013 – Modification of point 8

August, 2013 – New point 8 included

April, 2013 – Change of contact Points below

March, 2013 – Inclusion of “Cadets” in point 4

February, 2013

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

Maritime Labour Affairs

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