

# Merchant Marine Circular

Panama Maritime Authority  
General Directorate of Merchant Marine  
Control and Compliance Department

## MERCHANT MARINE CIRCULAR MMC-269

- 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, as amended (MLC). Certification Process.
- Reference:** Maritime Labour Convention, 2006, as amended (MLC)

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1. That through Executive Decree No. 86 of February 22, 2013, the National Legislation on the Maritime Labour Convention, MLC, 2006 of the International Labour Organization (ILO) was adopted and extensively discussed in tripartite sessions where representatives of seafarers, shipowners and the Panama Maritime Authority participated.
  2. The purpose of this circular is to inform users of the Panamanian Registry that the International Technical Offices of Segumar issues free of charge, the Declaration of Maritime Labour Compliance Part I, (DMLC-Part I) in electronic format where the national regulations required to certificate the vessel in accordance to the guidelines of the Maritime Labour Convention, 2006, as amended (MLC).
  3. Vessels with a gross tonnage of 500 GT or more, engaged in international voyages, and those with a gross tonnage equal or over 500 GT flying the Panamanian flag and operating from a port, or between ports from another country, must have on board and in a visible place a copy of the Maritime Labour Convention and the Maritime Labour Certificate complemented with the Declaration of Maritime Labour Compliance, which consists of two parts, DMLC-Part I and DMLC-Part II.
  4. In accordance with the MLC 2006, the term “international voyage” refers to a voyage from a country to a port located outside such country, that is, outside the jurisdictional waters of the Republic of Panama.



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5. Vessels with a gross tonnage from 200 GT to 499 GT engaged in international voyages or voyages between ports, may voluntarily request the Maritime Labour Certificate, for which compliance with all national regulations shall be required.
6. The DMLC Part I should only be requested when the vessel is going to start the inspection process in accordance with Regulation 5.1.3 and Standard A5.1.3 of the MLC.
7. If the vessel is going to make a single voyage, the shipowner, operator, RO or legal representative must request authorization for such purposes and attach a copy of the two valid financial securities according to the requirements of the Circulars MMC 336 and MMC 352.
8. In order to obtain the Declaration of Maritime Labour Compliance Part I, using the following link: <http://certificates.amp.gob.pa/certificates>.
9. For your convenience our SEGUMAR Offices are on the capacity to issue the DMLC Part I, please make sure to select the SEGUMAR Office of your convenience.
  - 9.1. Once the DMLC Part I is issued, the shipowner shall complete the Declaration of Maritime Labour Compliance Part II (DMLC-Part II), indicating the actions taken in order to ensure permanent compliance with the national requirements during the periods between surveys, as well as the measures proposed for guaranteeing continuous improvement of the aspects subject to survey.
10. That a recognized organization (RO) authorized by the Panama Maritime Authority, shall endorse the Declaration of Maritime Labour Compliance Part II (DMLC-Part II), once the full initial and renewal inspection has ended in accordance to the requirements of the MLC, 2006; and shall proceed to issue the Maritime Labour Certificate valid for five (5) years from the date of completion of the inspection on which this certificate is based, in accordance to the MLC, 2006, as amended.
11. The shipowners to whose vessels were conducted a full inspection, as per Regulation 5.1.3 of the Maritime Labour Convention, 2006, as amended (MLC), at the time of publication of this circular, are entitled to request the DMLC, Part I; proceed with the corresponding processing and use the inspection report to immediately issue the certificate valid for five (5) years from the date of completion of the inspection which shall be issued by a recognized organization authorized by the Panama Maritime Authority.



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12. If a vessel maintains a current DMLC Part I and changes the name of the vessel, change shipowner, change operator, change RO or change GT needs the reissue of the DMLC Part I.
  - 12.1 When the vessel changes its name, gross tonnage (GT), shipowner or other, the navigation statutory registry or patent must be updated to be reflected in the platform (E-SEGUMAR APPLICATION).
  - 12.2 The shipowner, operator, legal representative of the vessel, recognized organization or others, may cancel the DMLC Part I automatically in the system by entering the link indicated in Paragraph 8, and apply for the new DMLC Part I.
  - 12.3 If the address of the operator or shipowner changes, they must coordinate with the RO the update of the DMLC Part II and the maritime labour certificate. The DMLC Part I remains the same.
13. The DMLC Part II must include the vessel name, the IMO number and the gross tonnage in accordance to the draft of this administration.
14. There shall only be one DMLC Part I template for all vessel categories under the Panama Ships Registry.
15. The recognized organizations authorized shall only act in accordance to the guidelines provided by the Resolution, which authorizes them in matters related to the Maritime Labour Convention, 2006, as amended (MLC).
16. The Interim Maritime Labour Certificate may be issued for a period not exceeding six (6) months (A5.1.3.6/ A5.1.3.8 of the MLC).
  - 16.1.A DMLC (Part I and II) need not be issued for the period of validity of the Interim Certificate (A5.1.3.8).
17. If at the time of carrying out the initial inspection required in Standard A5.1.3.1 of the MLC, it is not possible for the RO authorized and listed in the MMC 255 to immediately produce a the new MLC certificate on board the ship, may be issued a Provisional MLC Certificate and placed on board. The validity of this Provisional Certificate should not exceed five (5) months. The five months of validity of the Provisional Certificate shall be counted from the date of completion of the initial inspection and included within the five years period of validity of the Maritime Labour Certificate. This certificate must be identified with the nomenclature "Provisional Certificate".



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- 18.** Intermediate Inspection: During a RO change the validity of MLC certificate should not be affected, provide that the correspondent intermediate inspection has been carried out within its due date, therefore expire date of the MLC Certificate will remain the same. In this case after satisfactory results of the intermediate inspection a Provisional Certificate shall be issued, as a transitional measure until the correspondent Full-term Certificate is issued and placed on board. The validity of this Provisional Certificate must not exceed five (5) months. This process does not require for any authorization.
- 18.1** Intermediate inspection, do not require of a new DMLC Part I and II to be issued, unless a RO change is taking place at the same time of this intermediate inspection, then the DMLC Part II, is subject to endorsement by the inspecting RO.
- 18.2** The maritime labour certificate must be endorsed at the end of the intermediate inspection according to the Standard A5.1.3 of the MLC.
- 19.** When the DMLC Part I is requested by the legal representatives these should be the same that mentioned in the patent or ship registry of the vessel. The RO that requested the DMLC Part I shall be responsible to issue the maritime labour certificate of the vessel.
- 19.1.** If a RO requests the DMLC Part I and another RO issues the Maritime Labour Certificate the first RO incurred in bad practice.
- 20.** When the initial, intermediate or renewal inspection are not completed within the periods correspondence should request authorization to the e-mail [mlc@segumar.com](mailto:mlc@segumar.com) to issue a conditional certificate and indicated the reasons for not carry out on the date indicated and should send copy of the maritime labour certificate and the two MLC financial securities updated. Remote surveys requests will be evaluated on a case by case basis, according of the Circular MMC 382 Paragraph 5.4.
- 21.** When the vessel is detained by the PSC, the RO's may request an authorization from [mlc@segumar.com](mailto:mlc@segumar.com) to carry out an additional inspection submitting the maritime labour certificate in force, both financial securities updated, and the PSC report, also, in these cases the recognized organizations may carry out remote surveys according of the Circular MMC 382 Paragraph 5.2.1.
- 22.** The RO's listed in the Circular MMC 255 may extend the validity of the Maritime Labor Certificate for a period not exceeding five months after the expiry date of the existing certificate, provided that the renewal inspection has been carried out according to



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standard A5.1.3.4 of the MLC. The format to be followed by the RO's will be the same as that found in the Appendix A5-II of the Convention and will be added to the maritime labor certificate and be available to the competent authorities.

**23.** When the shipowner or operator intend to carry out the renewal in advance of the maritime labour inspection without change or transfer Class or RO.

**23.1.** The Class or RO it is obliged to report the certificate to this administration as per our MMC 159.

**23.2.** When the shipowner or operator intend to carry out the renewal in advance of the maritime labour inspection, and the change or transfer from Class or RO will take place and the procedures established in our MMC 309 regarding Procedures for Transfer of Statutory and Class Certification should be followed.

**23.3.** In both cases it will not be necessary to request authorization for this Administration.

**24.** This Administration inform all Recognized Organizations listed in the Circular MMC 255, that will not be necessary request an authorization to carry out the additional inspection or audit for the following cases:

- a) When the name of vessel changes
- b) When the gross tonnage changes
- c) When the physical address of the operator company changes
- d) When the name of the operator company changes

**24.1.** The RO shall re-issue the Full-term or Interim Maritime Labor Certificate with same expiry date of the previous certificate.

**25.** When the seafarer accommodations and recreational facilities on a vessel has been substantially altered according of the Standards or Guidelines of the MLC, will proceed in accordance with the provisions of the circular MMC 302.

**26.** This Merchant Marine Circular revokes Merchant Marine Circulars MMC-248, MMC-254, MMC-256 and MMC-280.

**27.** The RO's authorized in the Circular MMC 255 may issue the Interim and Full-term Maritime Labour Certificate, and DMLC Part II, in accordance to Regulation 5.1.2 of the Maritime Labour Convention and the Resolution No. 106-118-DGMM of November,



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2012. Any other must be previously authorized by the SEGUMAR Office in [mlc@segumar.com](mailto:mlc@segumar.com)

**27.1.**The RO's will notify the invalidation the Maritime Labour Certificate (Interim or Full-term) to the following emails [mlc@segumar.com](mailto:mlc@segumar.com) and [withdraws@segumar.com](mailto:withdraws@segumar.com)

**27.2.**The MLC Section will proceed to cancel the DMLC Part I in force.

**28.** For purposes of the MLC the shipowner is not always the person indicated in the patent or registry of the vessel, DMLC Part II, maritime labour certificate, financial securities, DOC, others. According to the National Legislation of Panama, Executive Decree No. 86 on February 2013, whereby the maritime labour convention is regulated, Shipowner is any natural person or legal entity who owns a ship, or any other organization, as for example the manager, the agent or bareboat charterer, who for the purposes of exploiting the ship has undertaken the responsibilities that concern the owner or another entity or person, and who, upon doing it, has accepted to comply with all the duties and responsibilities that correspond to Shipowners by virtue of the Maritime Labour Convention, 2006, as amended regardless of the organization or person who performs some of the duties or responsibilities on behalf of the Shipowner.

**August, 2020-** Modification of Paragraphs 17, 18, 20 and 21.

**April, 2020** - Modifications of Paragraphs 12, 21, 24 and 27 and inclusion of new paragraph 25.

**March, 2020** - Modification of paragraphs 2 and 12 and inclusion of new paragraph 27.

**February, 2020** - Modification of paragraphs 9 and 12.

**September, 2019** - Modification of Paragraphs 18, 21 and 24.

**June, 2019** - Modification of Paragraph 20 and paragraph 23 is deleted

**January, 2019** - Modification of Paragraph 22 and included the news Paragraph 25

**October, 2018** - Modification of Paragraph 16 and inclusion of new Paragraphs 17 and 22.

**August, 2018** - Included the news Paragraphs 6, 7 and 21 and modified the Paragraph 12.

**May, 2018** - Modification Paragraphs 1, 4, 8, 14, 15 and addition new paragraph 21.

**May, 2018** - Modification on Point 10.

**October, 2017** - Addition of new paragraph (19)

**August, 2017** – Modification of Point 18.

**August, 2017** - Addition of new paragraph (18)

**October, 2016** - Modification of point 14

**October, 2016** - Modification of point 6 and elimination the paragraphs 3, 17 and 18.

**September, 2016** - Addition of new paragraph



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**June, 2016** - Modification of point 17 and addition of a two new paragraph (15 and 19)

**August, 2015** - Modification of point 17 and addition of new paragraph.

**March, 2015** - Modification of point 17

**July, 2014** - Addition of new email address for Busan

**July, 2013** - Correction of email address in point 15 (Piraeus, Greece)

**April, 2013** - New point 16 and elimination of second paragraph on point 2

**March, 2013**

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Inquiries concerning the subject of this Merchant Marine Circular or any other request should be forward to:

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Phone: (507) 501-4241

E-mail: [mlc@segumar.com](mailto:mlc@segumar.com)

Website: <https://panamashipregistry.com/circulars/>