

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 Ships, Panamanian Merchant Marine Consulates and Recognized Organizations (ROs).

Subject: Maritime Labour Certificate (MLC) - Certification Process - Maritime Labour Convention, 2006, as amended (MLC).

Reference: Law No. 2 of January 6, 2009 who adopted Maritime Labour Convention, 2006, as amended (MLC).

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

2. **Purpose:**

2.1. The purpose of this Circular is to inform users of the Panamanian Registry that the General Directorate of Merchant Marine through the Segumar Offices (International Offices and Head Office) can issue the Declaration of Maritime Labour Compliance Part I, (DMLC-Part I) in electronic format and free of charge. Within this Part of the DMLC (Part I) it is compiled all national regulations required to certify the ship in accordance with the guidelines of the Maritime Labour Convention, 2006, as amended (MLC).

3. **Background**

3.1. Through extensive tripartite consultations involving representatives of seafarers, shipowners, and the Panama Maritime Authority; the Republic of Panama enacted the Executive Decree No. 86 of February 22, 2013 (as amended). This legal framework successfully integrates the International Labour Organization's (ILO) Maritime Labour Convention (MLC, 2006) and provisions of the Code (Part B of the MLC, 2006) into National Legislation.

Merchant Marine Circular

4. Definitions

- 4.1. The definitions are those indicated in the Maritime Labour Convention, 2006 as amended.
- 4.2. “International voyage” In accordance with the MLC 2006 5.1.3, means a voyage from a country to a port outside such country; that is, outside the jurisdictional waters of the Republic of Panama.
- 4.3. “Shipowner” According to the National Legislation of Panama, Executive Decree No. 86 on February 22, 2013, 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.

5. Scope:

- 5.1. This Merchant Marine Circular applies to the following Panamanian registered ships:
- engaged in international voyages with gross tonnage of 500 GT or over, and
 - operating from a port, or between ports from another country and gross tonnage of 500 GT or over.
- 5.2. 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; in such case, the “vessel” should be considered as “ship” to ensure compliance with all national regulations.

6. Requirements:

- 6.1. All ships under the scope of MLC,2006 as amended, must have on board a copy of the Maritime Labour Convention in a visible place 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.
- 6.2. 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).

Merchant Marine Circular

- 6.3. During the period of validity of the Interim Certificate (A5.1.3.8), a DMLC (Part I and II) need not be issued.
- 6.4. The DMLC Part I should only be requested when the ship is going to start the inspection process to issue the full-term Certificate in accordance with Regulation 5.1.3 and Standard A5.1.3 of the MLC.
- 6.5. Financial securities according to the requirements of MLC,2006 as amended Regulations 2.5 (Repatriation) and 4.2 (Shipowner's liability) shall be valid all the time in case of ships under the scope of the afore indicated Convention. (Refer to Circulars MMC-336 and MMC-202).
- 6.6. If the ship intend to perform 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, MMC-202 and 399.

7. DMLC Part I

- 7.1. There is one DMLC Part I template for all ship categories under the Panama Ship Registry.
- 7.2. The shipowners shall request the DMLC, Part I prior to the MLC inspection (full inspection), as per Regulation 5.1.3 of the Maritime Labour Convention, 2006, as amended (MLC).
- 7.3. To obtain the Declaration of Maritime Labour Compliance Part I place your request through the new platform [SEGUMAR 2.0](#).
- 7.4. The DMLC Part I can be requested to our SEGUMAR Offices international network for a 24/7 service coverage, please make sure to select the nearest SEGUMAR Office or select the office according to your time zone when placing your online request.
- 7.5. The Declaration of Maritime Labour Compliance Part I (DMLC-Part I) is issued in electronic format and free of charge.
- 7.6. Within this Part of the DMLC (Part I) it is compiled all national regulations required to certify the ship in accordance with the guidelines of the Maritime Labour Convention, 2006, as amended (MLC).

Merchant Marine Circular

- 7.7. If a ship has a DMLC Part I in force and suffer a change of name or gross tonnage (GT), the DMLC Part I needs to be reissued; therefore, the ship-owner, operator, legal representative of the ship, recognized organization or others, must request the DMLC Part I cancellation contacting the MLC Section through the e-mail: mlc@segumar.com or through the Segumar Office of your convenience (refer to MMN-18/21).
- 7.8. If any other information about the shipowner, operator and/or management company (DOC) change, the DMLC Part I remains the same. In such cases the DMLC Part II and the Maritime Labour Certificate requires updating; therefore, the Recognized Organization should be informed to coordinate the necessary update.
- 7.9. DMLC Part I requested by the legal representatives should be the same in the ship registry certificate of the ship.

8. DMLC Part II

- 8.1. 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 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.
- 8.2. The Recognized Organization (RO) authorized by the Republic of Panama, shall endorse the Declaration of Maritime Labour Compliance Part II (DMLC-Part II), once the full initial and renewal inspection is satisfactorily completed according 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.
- 8.3. The DMLC Part II must include: the ship name, the IMO number and the gross tonnage in accordance with the model provided in Appendix A5-II of the MLC Convention.
- 8.4. The Recognized Organizations authorized shall only act in accordance with the guidelines provided by Resolution No. 106-118-DGMM November, 2012, which authorizes them in matters related to the Maritime Labour Convention, 2006, as amended (MLC).

Merchant Marine Circular

9. Inspections and MLC Certificate

- 9.1. An Interim MLC Certificate may only be issued after verification in Standard A5.1.3.7 and in the following cases:
- 9.1.1. New ships on delivery;
 - 9.1.2. Ship changes flag; or
 - 9.1.3. When a shipowner assumes responsibility for the operation of a ship which is new to that shipowner (please consider the Shipowner definition in article II j) of the Maritime Labour Convention, 2006, as amended (MLC)).
- 9.2. If a change of RO takes place during the period of validity of the Interim Maritime Labour Certificate issued under Panama flag, the gaining RO shall re-issue the interim certificate not exceeding the validity of the interim Certificate issued by the previous RO.
- 9.3. When The form of the Interim Certificate to be followed by the RO's will be the corresponding to the model given in the Appendix A5–II of the Convention.
- 9.4. The **initial inspection** required in Standard A5.1.3.1 of the MLC is completed and it is not possible for the RO authorized and listed in the MMC 136 to immediately produce a new MLC certificate on board the ship, a Provisional MLC Certificate may be issued and placed on board. The validity of this Provisional Certificate should not exceed five (5) months which shall be counted from the date of completion of the initial inspection and included within the five-year period of validity of the Maritime Labour Certificate. This certificate must be identified as "Provisional Certificate".
- 9.5. In case of "Provisional Certificate" this will be added to the maritime labour certificate and be available to the competent authorities.
- 9.6. Also, The RO's listed in the Circular MMC-136 may extend the validity of the Maritime Labour 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 the Standard A5.1.3.4 of the MLC (prior to the expiring of a Maritime Labour Certificate) and the certificate shall be endorsed as extended (Extension after renewal inspection).

Merchant Marine Circular

9.7. Intermediate Inspection: This inspection shall be carried out between the second and third anniversary date of the certificate when the certificate is issued for five (5) years. Anniversary date means the day and month of each year which will correspond to the date of expiry of the Maritime Labour Certificate.

9.7.1. MLC certificate validity should not be affected in case of RO change during the Intermediate inspection provided that the correspondent intermediate inspection has been carried out within the corresponding due date. In such cases, 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 of any authorization. Expiry date of the new Full-term MLC Certificate issued by the gaining RO will remain the same as previously issued.

9.8. Normally, the Intermediate inspection does not cause a new DMLC Part I and II to be endorsed; therefore, if RO change takes place during the intermediate inspection, then the DMLC Part II, is subject to endorsement by the inspecting RO.

9.9. After satisfactory completion of the intermediate inspection according to the Standard A5.1.3 of the MLC, the Maritime Labour Certificate must be endorsed by the RO.

9.10. When the initial, intermediate or renewal inspection is not completed within the correspondent periods, the Maritime Labour Certificate cease to be valid; therefore, to prevent the ship to sail without the appropriate document and conditions, this Administration requires that at least the Recognized Organization verify that the conditions remains the same for at least one single voyage. In these cases, the RO shall request authorization to issue a **conditional certificate** to complete the voyage, provided that evidence of compliance is provided through a documentary review and justified reason for this delay properly detailed. A copy of the Maritime Labour Certificate and the two MLC financial securities updated shall be submitted as part evidence of compliance. This authorization must be requested via email, contacting the MLC Section to mlc@segumar.com, or through the nearest Segumar Office of your convenience (refer to MMN-18/21).

9.11. When the shipowner intends to carry out the renewal or intermediate inspections in advance:

9.11.1. Without changing or transferring the RO, the Maritime Labour Certificate shall be reported to this administration as per our MMC-324.

Merchant Marine Circular

9.11.2. Including the change or transfer from RO, the procedures established in our MMC-307 regarding Procedures for Transfer of Statutory and Class Certification should be followed.

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

10. Handling of deficiencies

10.1. If any subsequent inspection or verification (interim, initial, intermediate, or renewal) reveals significant deficiencies (please refer to the Guidelines for port State control officers under the MLC, 2006), the Recognized Organization (RO) must immediately notify mlc@segumar.com or the nearest Segumar Office (refer to MMN-18/21). Detailed records of the deficiencies and the corrective actions taken must be maintained.

10.2. If a ship fails to comply with the Convention's requirements, the Maritime Labour Certificate may be withdrawn depending on the seriousness or frequency of the deficiencies. The Administration must be notified without undue delay and will evaluate the issuance of a conditional certificate on a case-by-case basis in accordance with MMC-156.

10.3. To request a conditional certificate, the following documents must be attached:

10.4. The RO inspection report

10.5. The DMLC Part II

10.6. The Maritime Labour Certificate (interim or full-term)

10.7. Valid financial securities

10.8. Before the expiry date of such conditional certificate the RO shall conduct a subsequent inspection to verify that deficiencies have been remedied.

10.9. All conditional MLC certificates issued are subject to the provisions of circular MMC-324 regarding Control of the Issuance of Statutory Certificate's Report and Administrative Fee.

10.10. When a ship is detained for non-compliance with national legislation and MLC regulations, the operator must send Form F-27 (Correction of Deficiencies Reports) to the PSC Section (pssc@amp.gob.pa) detailing the corrective action plan and records maintained onboard.

Merchant Marine Circular

10.11. This Administration informs all Recognized Organizations listed in Circular MMC-136, that will not be necessary to request an authorization to carry out the additional inspection or verification for the following cases:

- a) Change of the ship's name
- b) Gross tonnage change
- c) Change of name and/or physical address of the operating company (when is the same and not assuming new responsibility of the ship)
- d) When the ISM annual verification is carried out.

10.12. The RO shall re-issue the updated Full-term or Interim Maritime Labor Certificate with same expiry date as the correspondent's previous certificate.

10.13. When the seafarer accommodation and recreational facilities on a ship have been substantially altered according to the Standards or Guidelines of the MLC, please refer to circular MMC-302 to follow the provisions of the Administration.

June, 2026 – Completely revised.

January, 2026 – Paragraph 4.5 was amended.

March, 2025 – Modified the Paragraphs 4.11; 4.17.1; 4.22; 4.24; 4.27; 4.30 and deleted the Paragraphs 4.31 and 4.32.

November 2023 – Renumbered and completely revised.

June, 2022 – New Paragraphs 21 and 22.

February, 2022 – Modified the Paragraph 20, Segumar Offices added.

December, 2021 – Modified Paragraphs 7 and 23.1

June, 2021 – Modified the Paragraphs 12, 12.1 and 12.2

March, 2021 – Modified the Paragraph 17.

March, 2021 – Modified the Paragraph 12, Paragraph 26 replaced.

November, 2020 – Modified the Paragraphs 20 and 21, according to the modification of the MMC 382.

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



Merchant Marine Circular

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
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

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

SEGUMAR Panama
General Directorate of Merchant Marine
Panama Maritime Authority

Phone: (507) 501-4241
E-mail: mlc@segumar.com
Website: <https://panamashipregistry.com/circulars/>