

RESOLUTION ADM NO. 084-2008

“WHEREBY THE SHIP SECURITY OFFICER CERTIFICATE IS IMPLEMENTED”

THE ADMINISTRATOR OF THE PANAMA MARITIME AUTHORITY, acting in use of his legal powers,

WHEREAS:

That by means of Law Decree No. 7 of February 10th, 1998, the Panama Maritime Authority was created and the maritime competences of the Public Administration were standardized.

That by means of Law No. 4 of May 15th, 1992, the Republic of Panama was constituted as part of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended in the year 1995 (STCW 78/95).

That pursuant to the provisions of article 33 of Law Decree No. 7 of February 10th, 1998, the General Directorate for Seafarers is in charge of, among other duties, to comply with the current legal regulations about Education, Training, Certification and Watchkeeping of seafarers, pursuant to the provisions of the international conventions ratified by the Republic of Panama; guarantee the strict compliance of the minimum manning standards for Panamanian flag vessels to ensure the safety of navigation; to establish the corresponding concept for the payment of rates and fees related to the services provided; to comply with the rest of the duties determined by the Administrator and the Board of Directors of the Authority.

That pursuant to Resolution No. 140-2003 of May 15th, 2003, the Panama Maritime Authority that approves guidelines to implement the International Ship and Port Facility Security Code (ISPS Code), adopted like an amendment to the International Convention for the Safety of Life at Sea (SOLAS 74/78).

That by means of Cabinet Resolution No. 3 of January 28th, 2004, numeral 1, literal g, the amendments of 2002 to the International Convention for the Safety of Life at Sea, 1974/78 (SOLAS 1974/78), that create a new chapter specifically on marine protection and establish the new International Ship and Port Facility Security Code (ISPS Code), are implemented.

That due o the foregoing, Part A, Point 12, of the International Ship and Port Facility Security Code (ISPS Code), acknowledges the Ship Security Officer Certificate, who onboard thereof, shall watch over the implementation and compliance of the protection regulations, as stated in the Plan of Protection of the Ship.

That the 2006 amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in the year 1995 (STCW 78/95), corresponding to Chapters I and VI, were adopted by Resolutions MSC 203(81) and MSC 209(81), respectively, on May 18th, 2006, and pursuant to the provisions of article XII 1) a) v) of the STCW Convention 78/95, these became in force n January 2008, due to the addition made to Chapter VI “Emergency, occupation safety, security, medical care and survival functions”, the new Rule VI/5 that establishes “Mandatory minimum requirements for the issue of certificates of proficiency for ship security officers”, and besides, the “Regulations on Emergency, occupation safety, security, medical care and survival functions”, established in Chapter VI of the Training Convention, respectively.

That pursuant to the provisions of article XII 1) a) IV of the STCW Convention 78/95, said amendments shall be considered as accepted on July 1st, 2007.

That by virtue of the foregoing considerations and in order to implement the Ship Security Officer Certificate to the Officers who render their services onboard of vessels of Panamanian registry, pursuant to the International Conventions ratified by the Republic of Panama and the national legislation in force:

RESOLVES:

- FIRST:** **APPROVE** the implementation of the Ship Security Officer Certificate, pursuant to National and International Regulations for the Certification of Seafarers, according to the requirements required by the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as amended in 1995 (STCW 78/95) and the International Ship and Port Facility Security Code (ISPS Code) .
- SECOND:** For the effects of this Resolution and unless otherwise provided, the following definitions shall remain in force:
1. **ISPS Code:** International Ship and Port Facility Security Code, adopted on December 12th, 2002, by means of Resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974, (SOLAS Convention), as amended by the International Maritime Organization (OMI).
 2. **SOLAS Convention:** International Convention for the Safety of Life at Sea, 1974, as amended.
 3. **STCW 78/95 Convention:** International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, amended in 1995.
 4. **Ship Security Officer:** Person onboard the ship, responsible before the master, appointed by the company to be in charge of the security of the ship, which includes the implementation and maintenance of the ship security plan and the coordination with the officer of the company for the maritime security and port facilities security officers.
- THIRD:** This Resolution shall be applicable to seafarers who render services onboard the following types of vessels of Panamanian flag engaged in international travels:
1. Passenger Ships, including passenger crafts.
 2. Cargo Ships, including Cargo Crafts with a gross tonnage equal to or over 500.
 3. Mobile Offshore Drilling Units.
- FOURTH:** In order to obtain the Ship Security Officer Certificate, in the Panamanian Registry, the applicant must hold a Certificate or Valid and Qualified Endorsement, issued by the General Directorate for Seafarers, the ranking of Officer who render services in the navigation bridge or the engine room, according to provisions of the STCW Convention 78/95.
- FIFTH:** The Panama Maritime Authority, by means of the General Directorate for Seafarers shall endorse the Ship Security Officer Certificates issued by other Administrations recognized by the International Maritime Organization (IMO), with the same time of validity and limitations, if any.
- SIXTH** The Panama Maritime Authority, by means of the General Directorate for Seafarers shall endorse until July 1st, 2009, the documents that duly

certify that the crewmembers have the corresponding qualifications to the Ship Security Officer Certificate, according to the provisions of Resolution MSC. 203 (81) and MSC. 209 (81) of the International Maritime Organization (OMI).

SEVENTH: Every Ship Security Officer that hold a Certificate issued by the General Directorate for Seafarers shall re-validate his/her Certificate every five (5) years maximum, proving beforehand to said General Directorate, that they still have medical fitness and professional competence to render services onboard, pursuant to the provisions of this Resolution and proper provisions of the STCW Convention 78/95.

EIGHTH: To renew the Ship Security Officer Certificate the applicant shall:

1. To perform an approved seagoing service of not less than twelve (12) months in the last five (5) years, carrying out chief engineer or bridge officer duties onboard.
2. To have complied with a Training Course to obtain the Ship Security Officer Certificate, at a Training Center acknowledged by the Panamanian Maritime Administration.

NINTH: When the issuing Administration of the Ship Security Officer Certificate, which acknowledgement was request, does not appear in the List of Acknowledged Countries by the International Maritime Organization (IMO), the General Directorate for Seafarers may acknowledge a Coursed oriented to the Training of Ship Security Officers, issued by a Training Center acknowledged by the Panamanian Maritime Administration.

TENTH: When the General Directorate for Seafarers, justifiably considers it, it may suspend or cancel at any time the acknowledgement granted to said Certificate, sending the corresponding communication to the titleholder and to the issuing Maritime Administration of the Certificate submitted for acknowledgement.

ELEVENTH: Every applicant to the Ship Security Officer Certificate must comply with the following administrative requirements:

1. Complete the official request form.
2. Attach to the official application, four (4) color pictures, carnet size, three centimeters per three centimeters (3 x 3).
3. Submit a photocopy of the I.D.
4. Certificate of Medical Fitness issued by an acknowledged doctor and authorized by the Panama Maritime Authority.

PARAGRAPH: To obtain the Certificate by means of the digital system, the applicant must submit the original documents to carry out the issuing process of the Certificate (data entry and biometrics).

TWELFTH: For the purposes of the Resolution, the Panama Maritime Authority established the following tariffs for the Certificate and the Endorsement of Ship Security Officer Certificate:

1. The issuing of the Ship Security Officer Certificate shall have a cost of TWENTY DOLLARS, LEGAL TENDER OF THE UNITED STATES OF AMERICA (USD.20.00) for nations and TWO HUNDRED TWENTY DOLLARS, LEGAL TENDER OF THE UNITED STATES OF AMERICA (USD.220.00) for non-nationals.
2. For the endorsement the cost is TWO HUNDRED TWENTY DOLLARS, LEGAL TENDER OF THE UNITED STATES OF AMERICA (USD.220.00) additional to the amount of TEN DOLLARS, LEGAL TENDER OF THE UNITED STATES OF AMERICA (USD.10.00) for consulate proceedings.

THIRTEENTH: This Resolution shall become in force from the date of its publication of the Official Gazette.

LEGAL BASIS: Political Constitution of the Republic of Panama of 1972, amended in the year 2004.

Law No. 7 of October 27th, 1977 and its Protocol of 1978 by means of Law 12 of November 9th, 1981.

Law No. 4 of May 15th, 1998.

Law Decree No. 7 of February 10th, 1998.

Resolution No. 140-2003 of May 15th, 2003.

Cabinet Decree No. 3 of January 28th, 2004.

Resolution MSC 203(81) adopted in May 18th, 2006.

Resolution MSC 209(81) adopted in May 18th, 2006.

BE INFORMED AND COMPLIED WITH

Given in the City of Panama, on the eighth (8th) day of the month of August in the year two thousand eight (2008).

(Sgd.) Fernando A. Solórzano A.
FERNANDO A. SOLÓRZANO A.
ADMINISTRATOR OF THE PANAMA
MARITIME AUTHORITY

(Sgd.) Francisco Augusto De León
DIRECTOR OF THE OFFICE OF
LEGAL ADVISORY,
ACTING AS JUDICIAL SECRETARY

FASA/FADL/