

***** Certified Translation *****

PANAMA MARITIME AUTHORITY

GENERAL DIRECTORATE OF MERCHANT MARINE

RESOLUTION No. 106-107-DGMM

Panama, October 9, 2017

THE UNDERSIGNED DIRECTOR GENERAL IN CHARGE OF THE

GENERAL DIRECTORATE OF MERCHANT MARINE

BY VIRTUE OF THE POWERS CONFERRED BY LAW

WHEREAS:

By means of Decree Law No. 7 of February 10, 1998 the Panama Maritime Authority was created and the different maritime competences of the Public Administration were unified.

The Republic of Panama adopted the International Convention for the Safety of Life at Sea (SOLAS) 1974 by means of Law 7 of October 27, 1977 and its 1978 Protocol by means of Law 12 of November 9, 1981. It also adopted the protocol concerning the International Convention for the Safety of Life at Sea 1974 made in London, England on November 11, 1988 by means of Law No. 31 of July 11, 2007.

The Diplomatic Conference on Maritime Security held in London, England in December 2002 adopted new rules in order to increase maritime security in the form of a new Chapter XI-2 of the International Convention for the Safety of Life at Sea (SOLAS) and the new provisions included in Part A of the International Ship and Port Facility Security Code (ISPS Code). These new regulations, together with the guidelines listed in Part B of the ISPS Code constitute the international system that allows ships and port facilities to cooperate in order to detect and prevent acts of maritime terrorism.

By means of Resolution MSC.136 (76), the International Maritime Organization adopted on December 11, 2002 the Operating Rules for the Ship Security Alert

System (SSAS) whereby the technical recommendations for the standardization of the system are adopted.

Likewise, by means of Resolution MSC.147 (77) dated May 29, 2003 the amended Operating Rules for the Ship Security Alert System (SSAS) were adopted, and governments were advised to ensure that the ship security alert systems installed on July 1, 2004 or later met the standards of the referred Resolution and that the equipment installed before July 1, 2004 met the standards established in Resolution MSC.1376 (76) dated December 11, 2002.

In this sense, the International Maritime Organization, through Circular Letter MSC/Cir. 1155 dated May 23, 2005, approved the Guidelines regarding Message Priority and Testing of the Ship Security Alert System (SSAS) and in Section 3 of Part II it establishes that the procedures and protocols for testing ship security alert systems shall be the exclusive competence of each Administration.

By means of Circular Letter MSC.1/Cir. 1190 dated May 30, 2006, issued by the International Maritime Organization, Guidelines for the provision of information for identifying ships when transmitting ship security alerts are approved.

In this sense, the General Directorate of Merchant Marine, by means of Circular Letter MMC-133 informs users of the National Merchant Marine regarding the provisions for the use of the Ship Security Alert System (SSAS) in reference to SOLAS 74, Regulation XI-2/6, Resolution MSC.136 (76) dated December 11, 2002, Resolution MSC.147 (77) dated May 29, 2003, Circular Letter MSC/Cir. 1072 dated June 26, 2003, Circular Letter MSC/Cir. 1155 dated May 23, 2005, Circular Letter MSC.1/Cir. 1190 dated May 30, 2006 and the Board of Directors Resolution J.D. No. 028-2003.

Article 187 of Law No. 57 of August 6, 2008 “General of Merchant Marine” which modified Article 30 of Decree Law No. 7 dated February 10, 1998 establishes that the General Directorate has among its duties:

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14. To ensure strict compliance and effective application of the legal rules in force in the Republic of Panama, international conventions, codes and guidelines regarding maritime security, prevention of pollution and maritime security of ships..”

All ships governed by the SOLAS Convention shall be provided with a Ship Security Alert System (SSAS) whose object is to transmit an alarm in the event of any serious incident that affects maritime safety, including acts of piracy and armed robbery against ships.

By virtue of the above-referred and taking into consideration the high degree of responsibility involved in the services we provide to our national and international users as the registry with the highest number of ships recorded, this Administration has decided to modernize the services provided automating the Ship Security Alert System (SSAS) through an electronic platform for the Supply and Operation of the Ship Identification and Tracking System of the Ship Registry of the Republic of Panama and related services, and therefore

RESOLVES:

FIRST: TO APPROVE the use of the electronic platform for the Supply and Operation of the Ship Identification and Tracking System of the Ship Registry of the Republic of Panama and related services designated by the Panama Maritime Authority so that annual Ship Security Alert System Tests (SSAS TEST) are carried out allowing the General Directorate of Merchant Marine to identify and track ships registered under Panamanian flag to which it applies, as established in article three of this Resolution.

The electronic platform for the Supply and Operation of the Ship Identification and Tracking System of the Ship Registry of the Republic of Panama and related services shall be managed by a service provider retained by the Panama Maritime Authority.

Through the use of said platform, the Department for the Maritime Security of Ships of the General Directorate of Merchant Marine shall receive the annual SSAS TESTS

scheduled by the operators and/or owners of ships registered under Panamanian flag, acknowledging receipt thereof in an electronic manner and keeping control of the merchant fleet.

SECOND: TO ESTABLISH the guidelines for complying with the annual SSAS TEST of the Ship Security Alert System (SSAS) onboard all ships registered under Panamanian flag to which this Resolution applies, to wit:

Every ship to which this Resolution applies shall carry out the SSAS TEST within a maximum period of 12 months.

For purposes of this Resolution we hereby describe the following concepts:

- **SHIP SECURITY ALERT SYSTEM (SSAS)** pursuant to Rule XI-2/6 of the SOLAS Convention is a system capable of transmitting real and drill security alert messages from the ship to land which is received by the company in charge of the ship and a competent Authority designated by the Administration. The above described message shall precisely identify the general information of the ship and its geographical location.
- **SSAS TEST** is the method whereby it is verified that the ship's maritime security alert system meets the requirements of the above-mentioned regulations.

THIRD: The annual SSAS TEST applies to ships registered under Panamanian flag as per the provisions established in Chapter XI-2/6 of the International Convention for the Safety of Life at Sea (SOLAS), to wit:

- All passenger ships (including high-speed passenger ships), cargo ships with a gross tonnage equal to or above 500 and mobile offshore drilling units making international voyages.
- Tankers, chemical tankers, gas carriers, bulk carriers, and high-speed bulk carriers with a gross tonnage equal to or above 500.
- Other cargo ships with a gross tonnage equal to or above 500.
- All ships that voluntarily apply the ISPS Code onboard.

FOURTH: Excluded from complying with this Resolution shall be those ships which due to the type of navigation they undertake, either coastal or inside jurisdictional waters of a country, have been granted by the General Directorate of Merchant Marine a Certificate of Exemption of the use of SSAS pursuant to the provisions of the Circular Letter of Merchant Marine MMC-133.

Likewise, ships registered under Panamanian flag that are out of service during one calendar year and to which the General Directorate of Merchant Marine has issued a Special Laid-up Registration Certificate shall be exempted from complying with this Resolution.

FIFTH: It is the responsibility of the operators and/or owners of ships registered under Panamanian flag through those persons they decide to appoint, to schedule through the platform the annual SSAS TEST within a maximum period of 12 months. For this, ships shall keep the e-mail address threat@amp.gob.pa coded in their SSAS terminal. Additionally, the persons appointed by the operators and/or owners shall request access to the platform by email to the e-mail address: info@panama-ssas.com and they shall receive together with their access credentials the instructions for using the platform.

The above-indicated e-mail addresses are managed by the Department for Ship Maritime Security of this General Directorate.

SIXTH: For purposes of complying with this Resolution, it shall be understood that a ship has **SUCCESSFULLY** complied with the annual SSAS TEST in the following cases:

- When the General Directorate of Merchant Marine through the Department for Ship Maritime Security confirms receipt thereof on the date scheduled in the electronic platform.
- The TEST message includes all the information described in the Circular Letter of Merchant Marine to be issued for these purposes.
- The general information of the ship such as name, IMO number, call sign, and MMSI number are correct, as well as the geographical coordinates and date

received.

In the event that the TEST does not comply with the above-indicated it shall be deemed a **FAILED TEST**, and must be re-scheduled through the platform pursuant to the provisions of section five of this Resolution.

In the event that the SSAS TEST cannot be carried out, it shall remain as a **PENDING TEST** and the reasons and new date for scheduling through the platform shall be notified through an email sent to info@panama-ssas.com 24 hours in advance.

In cases where the SSAS TEST cannot be carried out due to technical problems of the equipment, this shall be communicated to the email info@panama-ssas.com of the Maritime Ships Security Department of the General Directorate of Merchant Marine for the corresponding formalities.

SEVENTH: TO WARN that in the event of non-compliance with this Resolution, this General Directorate of Merchant Marine may apply the following sanctions:

- The International Ship Security Certificate (ISSC) may be invalidated.
- Additional audits into the ISPS Code of ships that do not comply with the provisions of this Resolution may be authorized.

EIGHTH: The Maritime Ships Security Department shall be in charge of solving any inconveniences experienced by users who are not able to properly access the referred platform.

NINTH: TO INFORM that the General Directorate of Merchant Marine may establish, clarify additional concepts and details regarding the requirements and procedures to operators, owners, masters, ship security officers, company security officers or registered agents of the ship by means of Circular Letters of Merchant Marine.

TENTH: TO INFORM the content of this Resolution to all Departments of the General Directorate of Merchant Marine, to the Offices of Ship Documentation Techniques (SEGUMAR) and to the different consular offices of the Republic of Panama abroad.

ELEVENTH: This Resolution shall come into effect as of January 1, 2018.

LEGAL BASIS:

Decree Law 7 of February 10, 1998
Law No. 57 of August 6, 2008
Law No. 31 of July 11, 2007
Law No. 7 of October 27, 1977
Law No. 12 of November 9, 1981
Resolution MSC.1376 (76) dated December 11, 2002
Resolution MSC.147 (77) dated May 29, 2003
Board of Directors Resolution J.D. No. 028-2003
Circular Letter MSC/Cir. 1072 dated June 26, 2003
Circular Letter MSC/Cir. 1155 dated May 23, 2005
Circular Letter MSC.1/Cir. 1190 dated May 30, 2006
Circular Letter of Merchant Marine MMC-133

LET IT BE COMMUNICATED, PUBLISHED AND COMPLIED WITH

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FERNANDO A. SOLORZANO A.

Director General

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