

J.D. RESOLUTION No. 032-2020

THE BOARD OF DIRECTORS OF THE PANAMA MARITIME AUTHORITY, making use of powers granted to it under the Law, and

WHEREAS:

That Port Shipping and Service Rules and Regulations, Executive Decree 7-76, dated February 2, 1976 sets forth provisions for the dispatch of vessels.

That pursuant Agreement 64-83, dated January 12, 1983 the Executive Committee of the former National Port Authority, now the Panama Maritime Authority, approved fees for port maritime services rendered to vessels which enter ports within the Republic of Panama.

That pursuant Law Decree 7, dated February 10, 1998 the Panama Maritime Authority was created as a State autonomous agency, which has among its main objectives, the following: to manage, to promote, to regulate, to project, and to execute policies, strategies, legal and rules and regulations provisions, plans and programs which are directly, indirectly or otherwise related to the operations and development of the maritime sector, as well as acting as the supreme maritime authority of the Republic of Panama.

That pursuant Sections 36 and 37, Law Decree No. 7, dated February 10, 1998 the Panama Maritime Authority received all the rights and obligations of the former National Port Authority.

That pursuant number 7, Section 31, Law Decree No. 7, dated February 10, 1998 the General Directorate of Ports and Maritime Ancillary Industries has, among its functions, to promote shipping, maneuver, and berthing facilities, for vessels that reach national ports, and generally speaking, for the rendering of services which it may require for purposes of efficient cargo handling and usual supplies, and to regulate said activities within the port facilities.

That pursuant JD Resolution No. 046-2015, dated June 25, 2015 whereby a discount of fifty percent (50%) was granted for seafarers certification services to foreigners who serve on board Panamanian registered vessels, which service is for passenger ships (cruise ships), and which same are part of a business group which has registered more than ten (10) ships of this type under the Panamanian Merchant Marine Registry.

That pursuant JD Resolution No. 018-2019, dated May 3, 2019 whereby an incentive discount of up to a maximum fifty percent (50%) was granted on fees charged for technical document services for foreign seafarers who work on board vessels registered under our Registry and for cadets which are recruited to work during the required embarkment period, and it empowers the Administrator of the Panama Maritime Authority to regulate all forms and manners of applying the incentive to be granted.

That the Ministry of Health has issued Resolution No. 305, dated March 12, 2020 whereby it sets forth health measures in the embarkment and disembarkment from cruise ships, mini cruise ships, vessels with high draft/draught, international passenger ships such as yachts, mega yachts, and commercial yachts, or any other maritime vessel, in ports, berths, piers, or quays, anchorage areas, and marinas within the national territory.

That the Cabinet Council issued Cabinet Resolution No. 11, dated March 13, 2020 whereby it declared a National State of Emergency, and issued other provisions.

That Law No. 34, dated March 20, 2020 was enacted and whereby it amended Law No. 99 on a general tax amnesty for the payment of taxes managed by Internal Revenue ("DGI", in Spanish), Law No. 76 of 2019 and related to the Tax Procedure Code, and issued other provisions.

That pursuant number 3, Section 4, Law Decree No. 7, dated February 10, 1998 the Authority has among its functions, to evidence all measures in order to safeguard all national interests in the maritime and internal spaces.

That pursuant numbers 3, 7, and 9, Section 18, Law Decree No. 7, dated February 10, 1998 the Board of Directors of the Panama Maritime Authority has the functions of adopting administrative, scientific, and technological policies for purposes of promoting and of making sure the competitiveness and profitability of the maritime sector, as well as the development of its human resources, to sets forth the Authority's organization, and to structure, to regulate, to determine, to set, to alter, and to impose fees, duties, and excises for services which the Authority renders; therefore

IT STATES AS FOLLOWS:

- FIRST:** To suspend the payment of anchorage fees to passenger ships that arrive in ports, berths, anchorage areas, and marinas throughout the national territory, and which are registered under the Panamanian ship registry, for a period of ninety (90) calendar days.
- SECOND:** The General Directorate of Seafarers, pursuant applicable rules and regulations currently in force, shall grant upon the above vessels, the following discounts:
- a. A fifty percent (50%) discount to foreigners who serve on board Panamanian registered vessels, which service passenger ships (cruise ships), and same which are part of one and same business group which has registered more than ten (10) ships of this type under the Panamanian Merchant Marine Registry.
 - b. A discount of up to a maximum fifty percent (50%) on fees charged for technical document services for foreign seafarers who work on board vessels registered under our Registry, and for cadets which are recruited to work during the required embarkment period.
- THIRD:** It is set forth that all vessels which are anchored, have the obligation to maintain all appropriate visual signals, twenty-four (24) hours a day.
- FOURTH:** The Authority shall not be responsible for the consequences or damages which may occur for anchoring a vessel in an inappropriate or unsecure manner, or for berthing it in a faulty manner.
- FIFTH:** It is set forth that all vessels which are anchored, have the obligation to maintain a minimum, appropriate crew, pursuant current legislation.
- SIXTH:** If a ship or any other vessel sinks within port waters, Shipowner or its representative, shall immediately initiate removal operations thereof, at request of the Authority.
- SEVENTH:** Passenger Shipowners to whom this Resolution applies, are again informed that they must comply with that stated under Law No. 21, dated July 9, 1980 "Whereby provisions are issued on pollution of sea and navigable waters", and ADM Resolution No. 222-2008, dated November 7, 2008 "Whereby the Rules and Regulations on integral waste and port reception management, as well as manipulation of waste generated by ships and cargo residue, applicable in all port facilities and shipyards within the Republic of Panama".
- EIGHTH:** Change of crew and of any type of disembarkment is prohibited, unless it is authorized by the Ministry of Health.

NINTH: This Resolution shall enter into force since its enactment in the Official Gazette.

LEGAL BASIS: Executive Decree 7-76, dated February 2, 1976.
Law No. 21, dated July 9, 1980.
Agreement 64-83, dated January 12, 1983.
Law Decree No. 7, dated February 10, 1998, as amended.
Law No. 38, dated July 31, 2000.
Law No. 56, dated August 6, 2008, as amended.
ADM Resolution 222-2008, dated November 7, 2008.
J.D. Resolution No. 046-2015, dated June 25, 2015.
J.D. Resolution No. 018-2019, dated May 3, 2019.

LET IT BE PUBLISHED AND COMPLIED WITH

Given in Panama City, on the twenty-seventh (27th) day of the month of March, in the year two thousand twenty (2020).

THE PRESIDENT,

THE SECRETARY,

Signed, Illegible
JUAN CARLOS MUÑOZ
VICE-MINISTER OF THE PRESIDENCY

Signed, Illegible
NORIEL ARAUZ V.
ADMINISTRATOR, PANAMA
MARITIME AUTHORITY

JCM/NAV