



THE REPUBLIC OF LIBERIA
LIBERIA MARITIME AUTHORITY

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MARINE ADVISORY: 10/2021

Subject: Panama Ports: Maximum period of shipboard service for seafarers

Reference: a) Marine Notice MLC-003- Terms and Conditions for employment of seafarers under the Maritime Labour Convention (MLC), 2006

Dear Shipowner/Operator/Master;

Liberian flagged operators have reported to this Administration that the Panama Maritime Authority has taken a similar approach as the Australian Maritime Safety Authority with regard to the maximum continuous period that a seafarer can serve on board a vessel without taking annual leave with pay.

In this regard, the port state control officer will be verifying that each seafarer has a valid seafarer employment agreement (SEA), signed by all relevant parties, and has served on board the vessel for less than 11 months without taking annual leave with pay. (ILO MLC 2006, Standard A2.5, paragraph 2(b)).

A. Actions to be taken

1. For any seafarer with a valid SEA who has served on board a vessel for more than 11 continuous months, the master should prepare a plan for the seafarer's repatriation which should be reviewed and approved by this Administration. The plan must result in the repatriation of the seafarer before having served a maximum continuous period of 14 months.

In accordance with, MLC-003, section 3.5.4, the Administration will take into consideration the following when permitting a seafarer to forego the minimum annual leave with pay and continue being engaged under the seafarers' employment agreement for a period not exceeding 14 months:

- a) the reason for foregoing minimum annual leave with pay;
- b) the shipowner or operator can satisfactorily demonstrate that all possible efforts have been expended to repatriate the seafarer without success;
- c) the seafarer has provided written confirmation accepting the extension of the seafarers' employment agreement;

d) the shipowner or operator provides a repatriation plan for approval and which will result in the repatriation of the seafarer; and

e) a proper risk assessment carried out by the shipowner, taking into account the ships trading pattern, the seafarers' record of rest hours, fatigue and other identified hazards. Any requests should be submitted to the Regulations and Standards department at Regsandstandards@liscr.com.

2. If a seafarer does not have a valid SEA, the master will be required to facilitate a valid SEA or otherwise repatriate the seafarer. The Regulations and Standards department shall be contacted immediately at Regsandstandards@liscr.com.

B. Additional recommendations

It is recommended that the Masters keep record of:

1. all possible efforts have been made to repatriate the seafarer without success;
2. all written confirmations from the seafarers accepting any extension; and
3. a plan to repatriate any seafarer who has exceeded the maximum period of 11 continuous months

Please refer to **Marine Advisory 23/2020** for additional guidance on past actions taken by the Administration to assist ship operators.

Be aware that government of Panama has published guidelines for crew changes in Panama: <https://amp.gob.pa/crew-change-during-covid-19/#1591948262603-3dcd6619-beeb>

Please contact the Fleet Prevention Department at prevention@liscr.com if you have any questions.

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