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**AGREEMENT No. 360  
(of December 12, 2019)**

“Whereby the Regulation on Navigation in Panama Canal Waters is replaced”

**THE BOARD OF DIRECTORS  
OF THE PANAMA CANAL AUTHORITY**

**WHEREAS:**

Article 316 of Title XIV, on "The Panama Canal", of the Political Constitution of the Republic of Panama (the Political Constitution), creates the Panama Canal Authority (the Authority) as an autonomous legal entity established under public law, with exclusive charge of the administration, operation, preservation, maintenance, and modernization of the Panama Canal, as well as its related activities, vesting it with its own capital and the right to manage it.

Article 323 of the Political Constitution establishes that the regime contained in its Title XIV may only be implemented by means of laws that establish general policies, and the Panama Canal Authority shall regulate these matters.

Article 319 of the Political Constitution establishes that the Board of Directors has, among other powers, the authority to exclusively approve regulations to implement the general policies issued by the Legislative Branch as proposed by the Executive Branch and to grant concessions.

Law No. 19 of June 11, 1997, general law whereby the Panama Canal Authority is organized (Organic Law), was approved in accordance with the provisions of article 323 of the Political Constitution.

In accordance with article 18(5)(e) of the Organic Law, the Board of Directors is responsible for approving the regulations applicable to the admeasurement and inspection of vessels, navigation in the Canal, marine traffic control, pilotage, and all other matters relating to navigation in the Panama Canal.

In exercise of said power, by means of Agreement No. 13 of June 3, 1999, the Board of Directors approved the Regulation on Navigation in Panama Canal Waters, as well as its subsequent amendments.

Taking into consideration that the Regulation on Navigation in Panama Canal Waters was approved over nineteen years ago, with the completion of the Panama Canal expansion project and the commissioning of the Agua Clara and Cocoli locks, the Authority deemed it advisable to fully revise this Regulation, resulting in a proposal containing of numerous changes, thus the replacement of this Regulation is recommended.

The Administration states that the new Regulation:

- revises the scope of the previous Regulation and the Authority's control over Panama Canal waters;
- incorporates the regulations contained in the Annex as an integral part of its articles;
- includes new definitions and puts them in alphabetical order;
- includes a revision of the regulations applicable to small craft not transiting the Canal; to the scheduling, booking, order and preference in transit; to the information that vessels are required to send prior to their arrival at Canal waters; to the regulations concerning the prevention of collisions;

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as well as to the regulations contained in Chapter XI, Offenses, Sanctions and Sanctioning Proceedings;

- updates designated anchorage areas in Canal waters and the rules applicable to boarding and disembarking facilities, in accordance with the provisions of the International Convention for the Safety of Life at Sea (SOLAS);
- includes the Safe Working Load (SWL) concept in relation to vessel-provided chocks;
- updates the minimum visibility requirements from the navigation bridge, in accordance with the Collective Bargaining Agreement with the Panama Canal Pilots' Association (PCPA); and
- updates the classification of dangerous goods, in accordance with the provisions set out by the International Maritime Organization (IMO).

Through this replacement, the Administration informs that the wording of the following is improved:

- the regulations on the enforcement of judicial orders aboard vessels in Canal waters, on risk communication, coordination, prevention and control, on the general and specific provisions that must be observed by Panamax, Neopanamax and Panamax Extra vessels in terms of the construction, number, and locations of chocks and bits, on navigation bridge requirements, on the size, draft, and trim limitations of vessels transiting the Canal; and
- the requirements and duties that must be met by masters, officers and crew, as well as the prohibitions that must be observed during the navigation of vessels in Canal waters.

As a result of the above, the Administrator submitted this proposal for the replacement of the current Regulation on Navigation in Panama Canal Waters by a new one to the Board of Directors for its consideration.

The Administration states that, in compliance with article 97(8) of the Organic Law, all exclusive representatives participated in the development of this proposal.

The Board of Directors has examined the Administrator's proposal and believes that it is in the best interests of the Authority, thus it considers that the recommended replacement of the Regulation on Navigation in Panama Canal Waters is appropriate.

### **AGREES:**

**ARTICLE ONE:** To replace the Regulation on Navigation in Panama Canal Waters, as follows:

## **“REGULATION ON NAVIGATION IN PANAMA CANAL WATERS**

### **Chapter I General Provisions**

#### **Section One General Provisions and Definitions**

**Article 1:** All activities related to the navigation and transit of vessels in Panama Canal waters, as defined in this Regulation, as well as port activities or any other activities carried out within them, shall be controlled by this Regulation.

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The Administrator of the Authority shall enforce this Regulation through the administrative units designated for such purpose.

**Article 2:** The Authority shall be exclusively responsible for the control of marine traffic and all the activities related to navigation in Panama Canal waters and, therefore, any vessel navigating in Panama Canal waters shall be required to comply with the regulations, rules and instructions or orders of the Authority.

Vessels shall keep aboard an official copy of the Maritime Regulations for the Operation of the Panama Canal issued by the Authority, which must be the most recent version.

**Article 3:** The Authority shall establish the requirements and conditions of stability, list, trim, draft, cargo, hull, machinery, and of any other nature, including boarding and sanitation facilities, in order to authorize transit of the vessel and ensure its safety, as well as the safety of the Canal's personnel and structures.

The Authority may deny a vessel's transit if any of the established requirements is not met. However, in the cases where the Authority determines that the vessel can navigate safely using additional resources provided by it, the transit may be authorized as long as the vessel commits to and pays the corresponding surcharges.

**Article 4:** Any vessel that fails to meet the requirements for transit may only do so with the Authority's express authorization, provided that a document releasing the Authority and its personnel from all liability is signed, undertaking to indemnify the Authority, its staff, third parties and the Republic of Panama for any damages arising as a result of the above.

Failure to sign the liability waiver shall not relieve the vessel, her owners, or any other person having an interest in her, from liability incurred as a result of any damages that may be sustained as a consequence of the above.

**Article 5:** The Authority may deny the departure from Canal waters of any vessel until it posts a suitable payment warranty, to the satisfaction of the Authority, in the following cases:

1. when it has caused damages to the Authority, its personnel, equipment, property or facilities; or
2. when it violates any Canal navigation safety norm.

The Authority may request assistance from the Government's Security Agencies in order to ensure compliance with this Regulation; the costs corresponding to such assistance shall be charged to the vessel and included in the warranty.

**Article 6:** Any violation of the provisions of the Organic Law or the regulations on safe navigation in Canal waters shall be punished in accordance with Article 127 of the Organic Law. This provision does not apply to the Authority's personnel in the performance of their duties.

**Article 7:** Claims concerning navigation delays due to a failure to comply with any requirement or condition established in this Regulation shall be denied by the Authority.

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**Article 8:** Vessels shall be subject to inspection in order to ensure compliance with the applicable regulations of the Authority.

**Article 9:** The words, expressions, and abbreviations listed below shall have the following meaning and scope for the purposes of this Regulation:

**Port Activities.** Activities related to navigation, pilotage and maneuvering from and to port terminals within Panama Canal waters.

**Authorized Vessel Agent.** Party authorized by the owner or operator to represent the vessel before the Authority to create visits, request services and commit before the Authority to pay the fees for the services it requests or which are generated as a result of the visit of the vessels that it represents.

The Authority shall issue an agency code to recognize as an Authorized Shipping Agent the party who requests representation of a vessel before the Authority and who has complied with the requirements established by the Authority for such purpose.

**Panama Canal Waters.** Refers to the sea, lake and river waters within the Panama Canal Operation Compatibility Area, and the marine waters within the exclusive administration of the Authority, which are part of the Panama Canal, except for the marine waters within the Compatibility area located to the east of the Amador causeway and the islands of Naos, Perico and Flamenco.

**Tropical Fresh Water (TFW).** Tropical fresh water of Gatun Lake, density of 0.9954 gms/cc, at 29.1° Centigrade (85° F). Transition to fresh water frequently alters the vessel's trim.

**Maximum Height.** The allowable height for any vessel to pass safely under any structure across the Canal.

**Maximum Width.** The maximum width of a vessel, including protrusions, at its widest point.

**Canal Operation Compatibility Area.** The geographic area described in **Annex A** of the Organic Law, including its land and waters, where only activities compatible with the operation of the Canal may be carried out (see map at the end of this article).

**Transit Advisor.** Employee of the Authority who acts as advisor and notifies the procedures to follow and provides information from the operations area to the crew of small craft with length of 20 meters (65 feet) or less during transit.

**Authority.** The Panama Canal Authority, created pursuant to Article 316 of the Political Constitution of the Republic of Panama.

**Competent Authority.** Any authority with jurisdiction and power other than the Authority.

**Notices to Shipping.** Numbered communications that the Authority issues at the beginning of each year with permanent information to keep its customers informed about the requirements that vessels must meet, Canal terms and conditions, amendments or additions to the regulations of the Authority and matters directly related to the Canal's operation.

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**BayPlan Including Empties (BAPLIE).** Refers to the electronic document that serves to communicate the plan for cargo on board container vessels between the Port Terminal and Ship Operators.

**Barge.** A flat-bottomed vessel of full body and heavy construction without installed means of propulsion.

**Barge-Tank.** A non-self-propelled tank vessel.

**Vessel.** Every class of self-propelled water craft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

**Vessels in sight of one another.** Only when each vessel can be observed visually from the other.

**Auxiliary Vessel.** Any vessel other than a vessel of war, which is owned or operated by a State and used, at that time, exclusively on a government's non-commercial service.

**Vessel with restricted ability to maneuver.** A vessel which from the nature of its work is restricted in her ability to maneuver as required, so it is unable to keep out of the way of another vessel. This term includes, but is not limited to, any vessels engaged in the following tasks:

1. Laying, servicing or picking up a navigation mark, submarine cable or pipeline.
2. Dredging, hydrographic, or oceanographic activities, or underwater operations.
3. Towing operations that severely restrict the towing vessel and her tow in their ability to deviate from their course.

**Vessel engaged in fishing.** Any vessel engaged in fishing with nets, lines, trawls or other fishing apparatus, which restrict maneuverability. Does not include vessels fishing with trolling lines or other fishing apparatus which do not restrict maneuverability.

**Vessel of War.** Refers to a vessel belonging to the naval forces of a State and bearing the external marks distinguishing warships of its nationality, under the command of an officer duly commissioned by the government and whose name appears in the Navy List, and manned by a crew which is under regular naval discipline.

**Passenger Vessel.** A vessel that principally transports passengers, and runs on fixed published schedules. The capacity of this type of vessel is normally over 12 passengers.

**Power-driven vessel.** Any vessel propelled by at least one propelling machinery.

**Sailing Vessel.** Any vessel under sail, provided that propelling machinery, if fitted, is not being used.

**Vessel in special conditions.** A vessel whose nature or condition of the cargo, hull, or machinery is such that could represent a risk to the environment, the quality of water, or structures pertaining to the Canal, or which might obstruct the waterway, or whose draft, at any part of the vessel, exceeds the maximum allowable by the Authority.

**Merchant Vessel.** A vessel other than a military vessel, which is used for the transport of passengers and cargo.

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**Non-Self Propelled Vessel.** A vessel which either does not have an installed means of propulsion, or has an installed means of propulsion which is not functioning during transit or navigation in Canal waters.

**Vessel not under command.** A vessel which, due to an exceptional circumstance, is unable to maneuver as required and it is therefore unable to keep out of the way of another vessel.

**Maximum Authorized Transit Draft.** Deepest point of immersion in tropical fresh water (TFW) of a particular vessel, as authorized by its Loadline Certificate issued by a classification society, provided that the water level of Gatun Lake and Canal restrictions allow it.

**Published tropical fresh water (TFW) Maximum Draft.** Deepest point of immersion allowed in Canal waters, authorized by the Authority, depending on the locks to be transited, taking into account the level of Gatun Lake and its projected variation, as well as other limitations deemed necessary due to Canal restrictions.

**Canal.** The Panama Canal, including the waterway itself, as well as its anchorages, berths and entrances; lands and sea, river, and lake waters; locks; auxiliary dams; dikes and water control structures, as established by the Organic Law.

**Safe Working Load (SWL).** That which does not exceed 80 percent of the design load.

**Certificate of Fitness.** A certificate issued by or on behalf of a national government, in accordance with the Bulk Chemical Code or the Gas Carrier Code, or the International Gas Carrier Code, certifying that the construction and equipment of the vessel are adequate for safe transportation of the dangerous substances specified for that vessel.

**Small Craft Pilotage Exemption Certificate.** Certificate issued by the Authority's Board of Inspectors, which authorizes a third-party to operate a small craft without a pilot within Canal waters in compulsory pilotage areas. This certificate shall be issued based on the limitations and validity established in the license issued by the competent authority held by the applicant.

**International Ship Security Certificate (ISSC).** Certificate issued by the Ship's Registry or by a Recognized Security Organization acting on behalf of the Registry, in accordance with the ISPS Code. If the certificate is issued by a Recognized Security Organization, the Vessel's Registry must validate it after it verifies implementation of the vessel's protection plan. The original certificate must be kept aboard and made available to the Authority upon request.

**International Oil Pollution Prevention Certificate (IOPP).** Certification that the vessel has been surveyed in accordance with MARPOL 73/78 regulations.

**Advisories to Shipping.** Numbered written communications issued by the Authority during the calendar year to inform its clients about important aspects regarding Canal operations.

**IMO Class.** The classification of a dangerous substance under the International Maritime Dangerous Goods Code (IMDG), as amended. Under this system of classification, dangerous substances are divided into nine (9) classes and subdivisions, based on their particular properties.

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**Solid Bulk Code.** The Code of Safe Practice for Solid Bulk Cargoes.

**Gas Carrier Code (GC).** The Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, which is generally applicable to vessels built after December 31, 1976, but before July 1, 1986.

**Code for Existing Gas Carriers (EGC).** The Code for Existing Ships Carrying Liquefied Gases in Bulk. It is generally applicable to vessels delivered before December 31, 1976.

**Bulk Chemical Code (BHC Code).** Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, as amended. It is generally applicable to vessels built after April 12, 1972, inclusive, but prior to July 1, 1986.

**IMDG Code.** The International Maritime Dangerous Goods Code.

**International Gas Carrier Code (IGC).** International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk. It is generally applicable to vessels built after July 1, 1986.

**International Bulk Chemical Code (IBC).** International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk. It is generally applicable to vessels built after July 1, 1986.

**ISPS Code.** International Ship and Port Facility Security Code (ISPS).

**COLREGS 72.** International Regulations for Preventing Collisions at Sea of 1972, as amended, applicable seaward of buoys 1 and 2 at the Pacific and the breakwater at the Atlantic.

**Substantiating Commissioner.** Person appointed by the Administrator to receive information and documents from the various administrative units of the Authority regarding facts or omissions that could represent violations of this Regulation. The Substantiating Commissioner analyzes and processes the information and documents as appropriate, in accordance with this Regulation, until a draft resolution is issued.

**STCW Convention.** The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978/95, as amended.

**Culebra Cut.** Also known as Gaillard Cut, is the navigation channel extending from the Pedro Miguel or Cocoli Locks to the north end of the Bas Obispo Reach.

**Pilot Vessel.** A vessel engaged in the transport of pilots.

**Small craft.** Vessels up to 38.1 meters (125 feet) length overall, which normally do not require locomotives during lockage.

**Underway.** Applies to a vessel that is not at anchor, made fast to the shore, aground or docked to fixed structures or buoys.

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**Length.** The distance between the forward and aft ends of a vessel, including the bulbous bow, and any other protrusions. Also known as maximum length or overall length.

**Significant Event.** An incident affecting or that may affect the environment, public health, Canal operation, or the safety of individuals, vessels, or structures.

**Seaplane.** Any aircraft designed to maneuver on water or capable of taking off and landing on water.

**Required Arrival Time.** Date and time established by the Authority as the deadline by which a vessel booked for transit must arrive in order to transit.

**Launch.** A power-driven vessel 20 meters (65 feet) in length or less.

**Organic Law.** Law No. 19 of June 11, 1997, whereby the Panama Canal Authority is organized.

**Combustible Liquids.** Volatile liquids with flash points at or above 61° C (141° F).

**Beam.** The maximum breadth (width) of the hull, between the outside surfaces of the shell plating. Also known as Maximum Beam.

**MARPOL 73/78.** The IMO International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, and any amendments thereto.

**Fissionable Radioactive Material.** Any material containing Uranium 233, Uranium 235, Plutonium 239, Plutonium 241, or any combination of these radionuclides. Non-irradiated natural or depleted uranium, or uranium which has only been irradiated in a thermal reactor, is excluded from this definition.

**Dangerous Cargo.** Shall be understood as:

1. Any substance, whether packaged or in bulk, intended for carriage or storage, and having properties similar to those classified in the International Maritime Dangerous Cargo Code (IMDG); and
2. Any substance shipped in bulk, not classified within the IMDG Code, but which is subject to the requirements of the Bulk Chemical Code, the Gas Carrier Code, the International Gas Carrier Code, or Appendix B of the Solid Bulk Code.

**Dangerous Cargo in Bulk.** Any dangerous substance, carried without any intermediate form of containment, in a tank or cargo space which is a structural part of a vessel or in a tank permanently fastened to a vessel.

**Packaged Dangerous Goods.** Any dangerous goods contained in an empty receptacle, portable tank, container, vehicle or tank vehicle which has been previously used for the carriage of a dangerous substance, unless such receptacle or tank has been cleaned and dried, or when the nature of the former contents permits safe transport.

**Neopanamax.** All vessels with dimensions greater than Panamax that comply with the size and draft requirements of the Agua Clara and Cocoli locks.

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**Security Level.** Qualification of the degree of risk that a security incident affecting maritime security will be attempted or will occur, as established by the ISPS Code.

**Qualified Officer.** Vessel officer entrusted with watchkeeping duties at a vessel's navigation bridge or where required, in accordance with the provisions of the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, 1978/95 (STCW).

**Boarding Officer.** A qualified employee of the Authority who is assigned inspection and admeasurement duties, with the purpose of ensuring compliance by the vessels with the Regulations of the Authority, as well as with the Advisories and Notices to Shipping.

**Panama Canal Security Officer (PCSO).** Person designated by the Authority with functions equivalent to those of the Port Facility Security Officer (PFSO), as defined by the ISPS Code.

**IMO.** The International Maritime Organization.

**Panamax.** All vessels 30.49 meters (100 feet) or greater in beam and which may transit Gatun, Pedro Miguel and Miraflores locks due to their size and draft.

**Panamax Plus.** All Panamax vessels exceeding the allowable draft to transit Gatun, Pedro Miguel and Miraflores locks, and may only transit Agua Clara and Cocoli locks.

**Panama Canal Security Plan.** Refers to the set of regulations and procedures of the Authority, similar to those set out in Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974/78 (SOLAS 74/78), as amended, and in the International Ship and Port Facility Security Code (ISPS Code). This plan applies at the facilities of the Authority and at those under its exclusive administration, which are essential for Canal operations.

**Canal Pilot.** Pilot of the Authority duly trained and with a valid license issued by the Panama Canal Board of Inspectors to engage in pilotage activities in Panama Canal waters.

**Pilotage.** Service provided by the Authority, whereby a Canal Pilot takes control of the vessel's movement and navigation in Canal waters where the Authority determines that a pilot is required aboard.

**Protrusion.** Any object or thing, whether permanent or temporary, that extends beyond any portion of the hull of a vessel, except for the main anchors.

**Navigation Bridge.** The highest closed space of the vessel's superstructures, which allows for complete visibility all around the vessel with the least interference, and which contains all the instruments required for navigation, as well as the machinery and steering controls, and from which the crew and the pilots control the vessel.

**Radio Communication.** Transmission by radio of signals, images, text, and sounds of all kinds, including all the instrumentation, installations, apparatus, systems, and services pertaining to the transmissions; among these, the receipt, transmission, and reception of radio communications.

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**Maritime Regulations for the Operation of the Panama Canal.** Refers to the set of the following regulations issued by the Authority: the Regulation on Navigation in Panama Canal Waters (this regulation); the Regulation for the Admeasurement of Vessels to Assess Tolls for Use of the Panama Canal; the Regulation on the Panama Canal Authority Board of Inspectors; the Regulation on Sanitation and Communicable Disease Prevention; and the Regulation on the Procedure to Revise the Panama Canal Tolls Rate and Admeasurement Rules.

**Rules for the Prevention of Collisions in the Panama Canal.** The provisions pertaining to this matter, contained in this Regulation.

**Transit Reservation.** Service offered by the Authority whereby it guarantees that transit will start on a specific date, requested by the vessel, which is subject to an additional fee.

**Electronic Data Collection System (EDCS).** System used by customers of the Canal to submit the information required for a vessel's navigation in Canal waters and its transit across it.

**SOLAS.** The International Convention for the Safety of Life at Sea, 1974/78 (SOLAS), and any amendments thereto.

**Third-party.** Any party other than the Authority and its personnel in the performance of their duties.

**In-Transit-Time (ITT).** Time period between a vessel's arrival to the first set of locks, in either of the Canal terminals, and its departure from the last set of locks.

**Transit.** Navigation of a vessel in Panama Canal waters from one ocean to the other, or its return to it, including passing through one or several locks.

For the purpose of initiating transit charges, it is considered that a vessel has transited the Panama Canal if it partially or fully uses at least one chamber of a set of locks. The floating equipment of the Authority is excluded from this definition.

**Regular Transit.** Transit of a vessel without a transit reservation, which is scheduled for the date and time determined by the Authority based on its order of arrival, the Canal's capacity and any limitations that the vessel might have.

**Integrated Tug-Barge (ITB).** Consists of a tugboat that is rigidly connected by mechanical means (other than lines, cables or chains) to a vessel being pushed ahead, so that they both react as one vessel.

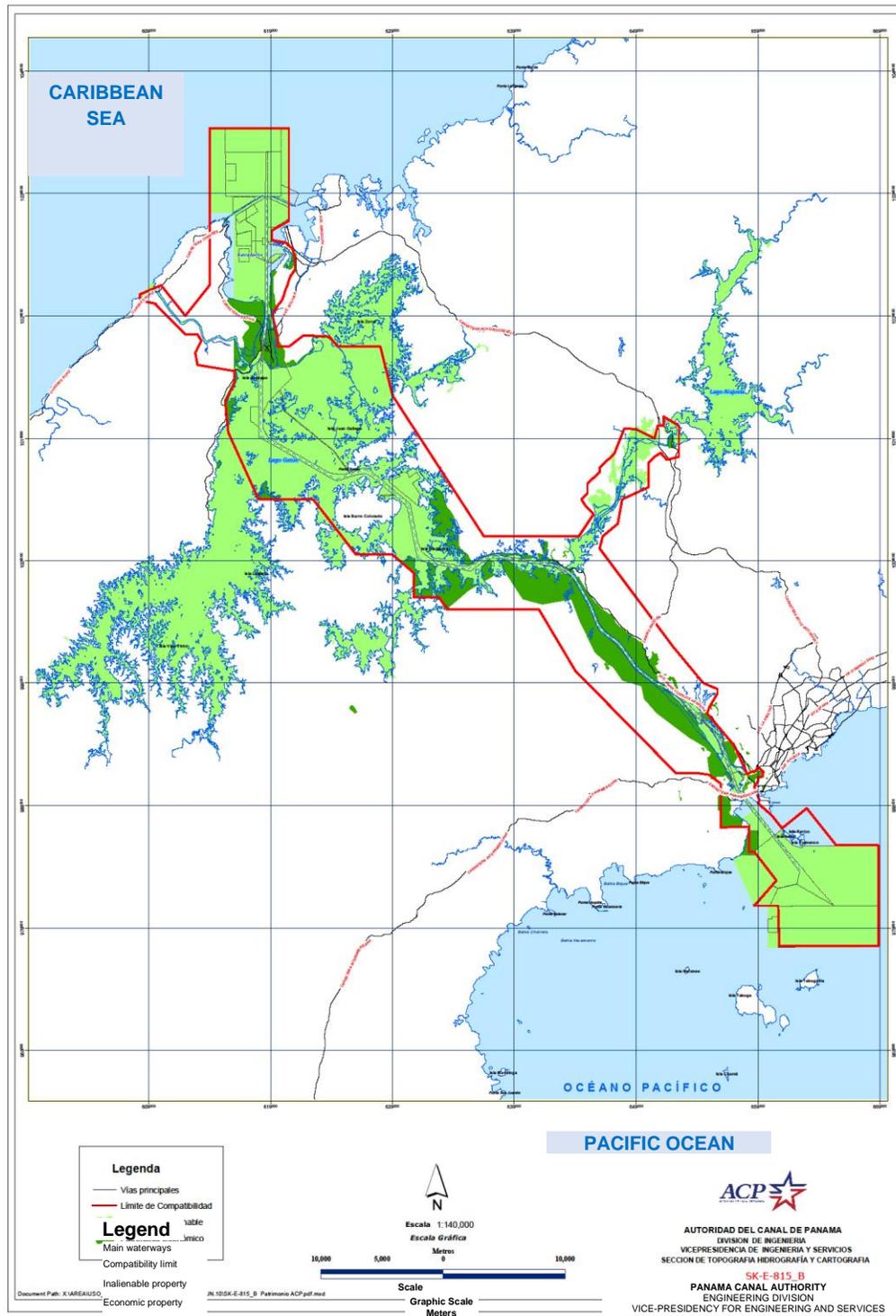
**Restricted Visibility.** A condition in which visibility is reduced by fog, mist, smoke, heavy rainstorms, or any other similar causes.

**Visit.** Entry made in the information system of the Authority recording a vessel's intention of arrival at Canal waters, whether for a local procedure, to make a port call, or for transit, which is generated by an Authorized Shipping Agent or by the vessel.

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### CANAL OPERATION COMPATIBILITY AREA



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**Article 10:** Once the visit and the request for services for a vessel is created in the computer system provided by the Authority, the Authorized Shipping Agent shall be irrevocably required to pay for all the services it has requested and have been received by the vessel, as well the charges for any services that were not requested but that the Authority provided to the vessel in that visit due to causes not attributable to the Authority. The Authorized Shipping Agent is responsible for processing payments or for posting the payment warranty within the time period required by the Authority.

Likewise, any Authorized Shipping Agent who, without having created a visit for a specific vessel, requests additional services to be provided to that vessel during that visit, shall be irrevocably required to process payment or post a bank warranty for the requested services within the time period required by the Authority.

Furthermore, the Authorized Shipping Agent is responsible for providing the information on the vessel that it represents within the time period established by the Authority. Therefore, the Authorized Shipping Agent shall be responsible for providing to the Authority complete, correct and updated information prior to the provision of services or transit of the vessel that it represents.

**Article 11:** Any notification that the Authority must send to the owner, charterer, operator or master of a vessel may be made through the Authorized Shipping Agent who created the vessel's visit or requested the service that originated such notification. Notifications shall be sent to the domicile of the Authorized Shipping Agent.

**Article 12:** The Authority may suspend an Authorized Shipping Agent's authorization to act as such before the Authority for up to three (3) years for any of the following reasons:

1. The Authorized Shipping Agent engages providing false or deficient information, commits fraud, bribery, collusion, intimidation or any other form of misconduct against or adversely affecting the Authority, its personnel or customers, or provides or offers to provide kickbacks to the Authority's personnel in order to obtain a benefit or preferential treatment, infringing on the regulations of the Authority.
2. Any falsehood or omission of information concerning the vessels that it represents and which affects the services or the image of the Authority.
3. Cancellation of the operating license as a Shipping Agency issued by the Competent Authority.
4. Bankruptcy of the Authorized Shipping Agent, or voluntary dissolution of the company.
5. Order issued by the Competent Authority.
6. When the Authorized Shipping Agent engages in any dishonest act in the course of its activities as a shipping agent with respect to its customer.
7. When the Authorized Shipping Agent uses its customer's information for purposes not authorized by the customer.

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8. When the Authorized Shipping Agent has not engaged in any activity or carried out any transaction as a shipping agent before the Authority for at least three (3) years.

9. The Shipping Agent fails to comply with the terms and conditions of payment applicable to the obligations or services requested and/or rendered by the Authority.

10. For any act or omission of the Authorized Shipping Agent not included in the previous paragraphs that may adversely affect the Authority or its personnel, or if the Authority considers that it is not in its best interest.

The Authority shall definitely cancel the authorization granted to the Authorized Shipping Agent if it repeats any of the offenses indicated in the previous article.

## **Section Two** **Risk Prevention and Control**

**Article 13:** For the purpose of safeguarding Canal operations, the Authority shall be responsible for coordinating the prevention and control of any dangerous events, acts, and accidents which occur or may occur during navigation in Canal waters, including, but not limited to the following:

1. Spills of oil and other noxious substances.
2. Elimination of waste.
3. Jettison.
4. Leak of hazardous materials
5. Ballast water discharges.
6. Unauthorized embarkation/disembarkation.

The Authority may take the appropriate measures for the prevention and management of the risks it identifies and that threaten the navigation of vessels in Canal waters, the Panama Canal and its personnel.

The Authority shall be exempt from liability for personal injury, as well as for the damages caused to property or vessels which may result from the events, acts or accidents indicated in this article, provided that these have not been caused by personnel or equipment of the Authority.

**Article 14:** The Authority shall have the power to take charge of and respond to all vessel emergencies in Canal waters, as well as to adopt the pertinent decisions in case any significant event of this nature occurs in the area.

The Authority shall also be responsible for maintaining communications and notifying the pertinent authorities, and for coordinating the potential involvement of any public or private organizations that may participate in the operations that are carried out.

For the purpose of safeguarding safe and uninterrupted operations of the Panama Canal, the Authority shall hold, at all times, the control of the maritime traffic in Canal waters if any significant event occurs, which includes control of the navigation and movement of the vessel where the act or casualty occurred.

**Article 15:** The Authority shall take the measures and actions that it deems appropriate in cases such as grounding, shipwreck, fire, spills or any other incident that could result in the obstruction of navigation,

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including taking control of response operations to refloat or move the vessel, extinguish the fire, or serve and respond to any other incident.

The above mentioned measures and actions may be taken by the Authority without the express authorization of the vessel's agent or owner. The costs arising as a result of these measures and actions shall be borne by the party or parties determined to be accountable for the accident.

In exceptional cases where measures and actions outside of Canal waters need to be taken, the Authority shall coordinate these activities with the competent authorities.

**Article 16:** When an emergency or incident that interferes with or hinders safe navigation in Canal waters arises in a vessel arriving at or approaching Canal waters, it shall report it to the Authority as soon as it becomes aware of the emergency or incident. The vessel shall have adequate equipment and supplies, as well as qualified personnel and procedures for the prevention, detection and extinction of fires and other emergencies or incidents that may arise on board.

**Article 17:** The Authority may require the master of a vessel involved in an incident to make available, at the vessel's expense, the crew and equipment that the Authority deems necessary to respond to such incident.

**Article 18:** The Authority shall submit a claim and charge for the costs and expenses it incurs to respond to the incidents that arise aboard vessels in Canal waters; such claims shall be made to the party or parties determined to be accountable for such incidents.

In order to ensure collection of the costs and expenses incurred by the Authority, the vessel where the emergency occurred, or the parties presumed to be responsible for the emergency or incident, shall be required to post a warranty in accordance with Article 5 of this Regulation.

### **Section Three Scheduling, Booking, Order and Transit Preference**

**Article 19:** The specific order of transits shall be established on a daily basis for all types of vessels, whether booked or regular transits. For that purpose, the Authority shall adopt a vessel transit schedule, which shall include a Reservation System to transit on a previously established date, provided that the vessel complies with the established requirements. For this purpose, the Authority shall develop the procedures and criteria that shall govern the transit schedule and the Reservation System, which the Authority shall publish in advisories or notices to shipping, as applicable, in order to keep its users informed.

**Article 20:** The transit schedule and order of preference established in accordance with the Reservation System shall not affect the provisions of Article VI of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, in relation to the right of vessels of war or auxiliary vessels of the Republic of Panama or the United States of America to transit the Panama Canal expeditiously, pursuant to the terms and limitations agreed upon therein.

**Article 21:** For the purposes of the Reservation System, it is considered that a vessel has arrived for transit when it meets the arrival criteria established by the Authority.

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**Article 22:** Daily transit reservations shall be offered to users within the periods established by the Authority. The number of transit reservations shall be determined based on the safe, continuous, efficient and profitable operation of the Canal.

**Article 23:** A vessel booked for transit shall be subject to the transit reservation fee established in the tariff table published by the Authority.

Transit reservation fees shall not be charged when, for causes not attributable to the vessel, as determined by the Authority, the vessel does not start to transit before 2400 hours on the date of its reservation, or if it does transit on the date it reserved but the In-Transit-Time (ITT) exceeds the limits established by the Authority.

However, the reservation fee shall apply to any vessel whose transit is interrupted at the customer's request, or if the vessel starts and ends the transit in the same set of locks in either of the Canal terminals.

**Article 24:** A vessel booked for transit is deemed to have transited the Canal on its reserved transit date if the vessel arrives at the first set of locks in either of the Canal terminals before 2400 hours that same day and its In-Transit-Time (ITT) does not exceed the limits established by the Authority.

**Article 25:** Vessels on regular transit shall transit on the date and in the order established by the Authority.

**Article 26:** Commercial passenger vessels shall be given transit preference, provided they have acquired a transit reservation and to the extent that such preference does not impair the safe and efficient operation of the Canal. In addition, the Authority may grant transit preference to container vessels booked for transit, to the extent that such preference does not affect the safe and efficient operation of the Canal.

**Article 27:** The Authority may authorize, pursuant to its own conditions, the exchange of transit reservations among vessels, as well as the substitution of a vessel's transit reservation for another vessel without reservation.

**Article 28:** The Authority may advance the transit date of a vessel with a transit reservation, to the extent that this does not affect the safe and efficient operation of the Canal. For the purposes of this article, compliance with the In-Transit-Time limits shall be calculated from 0001 hours on the date reserved by the vessel.

**Article 29:** A vessel that cancels its transit reservation shall be subject to a cancellation fee in accordance with the Maritime Tariffs published by the Authority, which shall be charged instead of the fee applicable to the canceled reservation.

The applicable fee amount shall depend on the advanced notice of cancellation of the transit reservation with respect to the requested time of arrival.

**Article 30:** The Authority shall cancel the reserved transit slot and assess a fee equivalent to the transit reservation fee in the following cases:

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1. When a vessel arrives after the time established by the Authority on the day the vessel is scheduled for transit.
2. When a vessel arrives on time, but due to a condition or deficiency of the vessel, or at its own request, cannot transit as scheduled.

However, when a vessel with or without transit reservation arrives after the time established by the Authority, but with sufficient time to be kept on the schedule for the date of its reservation, the vessel shall have the option to transit on the date of its reservation subject to a fee for this option established in the Maritime Tariffs published by the Authority, in addition to the amount equivalent to the corresponding booking fee.

A vessel whose transit reservation has been canceled shall be rescheduled for regular transit, unless the customer makes a new transit reservation.

Failure to provide the accurate and complete information required by the Authority when a transit reservation is requested may result in denial of the request or cancellation of the transit reservation.

**Article 31:** The following circumstances may result in cancellation of the transit reservation without the application of the transit reservation fee, or the late arrival fee:

1. Medical or humanitarian emergency, an act of God or force majeure occurred between the last port and its arrival that could not have been reasonably anticipated or prevented by the vessel, which prevented it from arriving at the time required in its reservation. The vessel shall be responsible for providing to the Authority supporting proof that the late arrival resulted from any of the causes indicated in this paragraph.
2. When a vessel, having arrived at the time required in its reservation, is docked or anchored and is unable to start its transit as a result of an Act of God or force majeure that could not have been anticipated or prevented by the vessel. The vessel shall be responsible for providing to the Authority proof supporting its impediment to start its transit on the reserved date as a result of any of the causes indicated in this paragraph.
3. Upon instruction of the Authority due to operative efficiency, security or safety reasons.

**Article 32:** A vessel may request the cancellation of a transit reservation, or the rescheduling or the transit reservation for a later date, without incurring a cancellation fee, in the following cases:

1. If for any reason the Authority cancels the transit of a vessel with a transit reservation that is otherwise ready to proceed as scheduled, or
2. If for any reason not attributable to the vessel, completion of its reserved transit is delayed to the point where it may prevent the vessel's arrival on time for a second reserved transit, provided that the latter has been reserved before the delay of the first transit occurred, or
3. When the vessel's owner, charterer or operator is declared bankrupt by a competent authority, or the corresponding legal entity is legally dissolved and, consequently, the reservations made by the Authorized Shipping Agent for this vessel are not required.

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In these cases, the customer shall request the cancellation of the reservation or the rescheduling for a later date before the vessel departs Canal waters.

In the cases where the Authority cancels the transit of a vessel that has a reservation and is ready for transit, the vessel shall be rescheduled expeditiously, taking into consideration the safe, continuous, efficient and profitable operation of the Canal.

**Article 33:** The Authority may suspend the vessel Transit Reservation System in whole or in part.

Cancellation of a vessel's reservation due to a partial or full suspension of this system shall not result in cancellation charges to the vessel.

#### **Section Four Requirements and Prohibitions**

**Article 34:** All vessels shall display the Panamanian flag from dawn to 1800 hours while they are in Canal waters. However, the vessel may also display its flag of registration and the banners of its company or charterer.

**Article 35:** The following prohibitions apply to all vessels in Canal waters:

1. Discharging firearms.
2. Transporting undeclared cargo.
3. Setting and laying fishnets or other objects that may obstruct Canal channels and anchorages or in the areas adjacent to them.
4. Laying lines, pipes, or any other type of objects across any navigation channel or anchorage that may obstruct the passage of vessels, unless previous authorization has been granted by the Authority.
5. Anchoring for the purpose of fishing, or hauling nets or trawls in the anchorages or navigable channels.

#### **Chapter II Communications and Arrival Information**

##### **Section One Radio Communications**

**Article 36:** The Authority shall regulate radio communications in the Canal operating areas that affect or concern vessels or the navigation in its waters. All radio communications shall be in the English language.

**Article 37:** The following vessel categories shall comply with the radio equipment requirements listed in this article:

1. Power-driven vessels of 300 gross tons or over.
2. Power-driven vessels of 100 gross tons or over, carrying one or more passengers that have paid for the transport service.
3. Power-driven vessels of 100 gross tons or over, carrying dangerous cargo.
4. Commercial towing vessels of 8 meters (26 feet) in length or over.

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A vessel of any of the above categories shall be equipped with a radio system accessible from the navigation bridge that can be used to establish communication in the 156-162 MHz frequency band on the following channels:

1. Channel 12 VHF (156.000 MHz)
2. Channel 13 VHF (156.650 MHz)
3. Channel 16 VHF (156.800 MHz)

When a vessel notifies the Authority that it is ready to transit or that intends to navigate in Canal waters and requires a Canal pilot, it shall, until a pilot boards the vessel, maintain a continuous watch on Channel 12 VHF, and await instructions. Channel 12 VHF shall be used to notify the vessel its transit schedule and to communicate with the signal stations of Cristobal, in the Atlantic, and Flamenco, in the Pacific.

While the vessel is in Canal waters, Channel 13 VHF shall be used exclusively for bridge to bridge communications. Channel 13 VHF shall use a one watt maximum power, except in cases of emergency, where more power may be used. When a pilot is aboard a vessel, Channel 13 VHF shall be used only by the pilot or to transmit the navigation communications that the pilot orders.

Channels 12 or 16 VHF may be used to call the Flamenco and Cristobal signal stations. However, Channel 16 VHF is reserved for cases of distress, urgency and safety. Channel 16 VHF may also be used to contact another vessel and once contact is established, another channel shall be selected for routine communications.

**Article 38:** No vessel with a pilot aboard navigating toward the locks or port facilities in Canal waters shall communicate by VHF radio with any other vessel or shore station, vessel agents, make emergency communications, or communicate bridge to bridge, without the pilot's authorization. This restriction shall not apply to State-owned vessels or to vessels that have been granted pilotage exemptions.

**Article 39:** The Authority must be informed of any incident that may cause delay or require assistance. This information shall be transmitted by the vessel or pilot, if one is aboard, through the radio frequencies specified in this section.

**Article 40:** Vessels shall operate their radio equipment in conformity with the principles and rules stipulated in the international conventions to which the Republic of Panama is a party.

## **Section Two Arrival Information**

**Article 41:** At least ninety-six (96) hours prior to arrival at Canal waters and before being scheduled to receive services by the Authority, all vessels must submit the following information through the means of delivery that it specifies:

1. Visit information.
2. Declaration of the last 10 port calls.
3. Declaration of quarantine and sanitation.
4. Vessel's Security Declaration.
5. Cargo Declaration and/or stowage plan.
6. Crew List.
7. Passenger List, if applicable.

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8. Vessel's admeasurement information, if applicable.
9. Vessel's structural changes, if applicable.
10. Vessel's visibility information (up to 48 hours prior to its arrival).
11. BAPLIE declaration, if applicable (prior to its arrival).
12. Declaration on the condition of the vessel's facilities.

For the purposes of this article, the visit information referred to in item 1 shall be understood as the vessel's condition upon arrival or during transit.

The Authority may request any other additional information it deems relevant or pertinent and, in exceptional cases, establish a deadline for delivery other than the ones stated in this article.

The Authority shall deny services to the vessels that do not abide by its regulations. However, the Authority may evaluate the provision of services to such vessels under certain conditions set by it.

**Article 42:** A vessel whose voyage time from the last port before arriving at Canal waters is less than ninety-six (96) hours, must provide to the Authority, immediately after departing said port, an update to the information required in Article 41.

Vessels must update any change to their conditions prior to arriving at Canal waters.

Vessels that will transit after calling any ports within Canal waters must provide to the Authority, prior to their transit, any changes to the information required in article 41.

**Article 43:** Vessels with fissionable radioactive cargo shall, at least 30 days prior to their arrival at Canal waters, the information required in items 1 and 5 of article 41, as well as information on the Financial Liability Certificate to transport this type of cargo.

In the case of non-fissionable radioactive materials, the deadline to provide to the Authority information on all other radioactive materials transported by the vessel shall be in accordance with the provisions of article 41.

**Article 44:** War and auxiliary vessels from all nations shall be subject to the provisions of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, and must provide the quarantine, health and sanitation information required by the Authority.

However, the Authority may require such vessels to certify compliance with the health, sanitation and quarantine rules contained in the Regulations on Sanitation and Prevention of Communicable Diseases of the Authority. On the other hand, such vessels shall have the right to refuse disclosure of their internal operations, origin, weaponry, cargo or destination.

The Authority may require auxiliary vessels to submit a written warranty, certified by a high-ranking official from the State Government requesting the exemption for such vessels owned or operated by that State, that these vessels belong to said State and and that in this case are used only on non-commercial official duty.

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The Authority shall establish the applicable parameters to determine the bank warranties and tolls applicable to war and auxiliary vessels from all nations.

**Article 45:** Failure to comply with the requirements established in this section may result in delays or cancellation of the vessel's movements and the possible assignment of additional resources, without prejudice to any applicable penalties.

### **Chapter III** **Vessel Arrival and Anchorage**

#### **Section One** **Communication and Coordination**

**Article 46:** The Authority shall keep signal stations at the Pacific and Atlantic entrances in order to facilitate communication for arrival at Canal waters. Vessels shall contact these stations on channel 12 VHF prior to their arrival.

**Article 47:** Coordination for the use of the anchorages, both in the Atlantic as in the Pacific, shall be verified in accordance with the following:

#### **Atlantic Entrance.**

##### **1. Communications:**

A vessel approaching the Atlantic entrance shall establish contact with the Cristobal signal station at least six miles before entering the breakwater and shall maintain a continuous watch on Channel 12 VHF until a pilot assumes control of the vessel's navigation. Channel 12 VHF shall be used to notify vessels of their transit time and for harbor traffic coordination within Limon Bay. Channel 13 VHF shall be used when vessels are transiting the Canal, exclusively by the pilot for bridge to bridge communication.

##### **2. Pilotage:**

A pilot is required for vessels departing the merchant vessel inner anchorage area (area C) (south of Buoy No. 2) until the vessel is properly aligned in the navigation channel and clear of oncoming traffic.

A vessel may only enter, depart from, or move within Limon Bay with proper authorization from the Cristobal signal station.

##### **3. Anchorage:**

The Authority shall determine and communicate to the vessels the entrance order for using inner anchorages at Cristobal.

#### **Pacific Entrance:**

##### **1. Communications:**

A vessel approaching the Pacific entrance shall establish contact with the Flamenco signal station at least eight miles before the Sea Buoy and shall maintain a continuous watch on Channel 12 VHF until a pilot assumes control of the vessel's navigation. Channel 12 VHF shall be used to notify vessels of their transit time and the pilot's time of arrival. Channel 13 VHF shall be used by the Authority's pilot when vessels are under way in Canal waters, exclusively for bridge to bridge communication.

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## **2. Anchorage:**

Vessels shall anchor in the anchorage area suggested by the Authority, and shall not enter the channel or pass Buoys No. 1 and 2 without a pilot aboard, unless authorized by the Authority. A vessel may not enter, depart or move in the Pacific anchorages, especially across the channel area between the Sea Buoy and Channel entrance Buoys No. 1 and 2, unless they have first contacted the Flamenco signal station and obtained approval. Such authorization is valid for a specific time; if the vessel does not proceed, it must obtain a new authorization

## **Section Two Anchorage and Inspection**

**Article 48:** The designated anchorage areas at the Canal entrances shall be those described below, and if there is any discrepancy between them and those described in Annex B of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, the provisions of the latter shall prevail.

The following areas are designated as authorized anchorage areas.

### **1. Atlantic Entrance**

#### **a. Outer Anchorage for Merchant Vessels**

An area located north of the Cristobal Breakwater, bounded as follows: starting at a point in position 9°25'17" N., 79°55'16" W.; thence 3682 meters (4027 yards) 180° true to a point in position 9°23'18" N., 79°55'17" W; thence, 2517 meters (2753 yards) 270° true to a point in position 9°23'18" N., 79°56'38" W; thence 816 meters (892 yards), 236° true to a point in position 9°23'04" N, 79°57'00" W.; thence 1740 meters (1903 yards) 00° true to a point in position 9°24'00" N, 79°57'00" W, thence, 1289 meters (1410 yards) 270° true to a point in position 9°24'00" N., 79°57'42" W., thence 516 meters (564 yards) 00° true to a point in position 9°24'16" N., 79°57'42" W., thence 1289 meters (1410 yards) 90° true to a point in position 9°24'16" N., 79°57'00" W., thence 1882 meters (2058 yards) 00° true to a point in position 9°25'17" N., 79°57'00" W., thence 3211 meters (3512 yards) 90° true to the starting point.

#### **b. West outer anchorage expansion**

Located north of the Cristobal Breakwater, bounded as follows: from a point in position 9°26'20" N., 79°55'16" W.; thence 1980 meters (2165 yards) 180° true to a point in position 9°25'17" N., 79°55'16" W; thence, 4499 meters (4920 yards) 270° true to a point in position 9°25'17" N., 79°57'42" W; thence 1980 meters (2165 yards), 00° true to a point in position 9°26'20" N, 79°57'42" W.; thence 4508 meters (4930 yards) 90° true to the starting point.

#### **c. East outer anchorage expansion**

Located east of the West Outer anchorage Expansion, bounded as follows: Starting at a point in position 9°24'47" N., 79°54'59" W., marked by Buoy W-1; thence 1572 meters (1720 yards) 90° true to a point in position 9°24'47" N., 79°54'08" W; thence, 2877 meters (3146 yards) 00° true to a point in position 9°26'20" N., 79°54'08" W; thence 1559 meters (1705 yards), 270° true to a point in position 9°26'20" N, 79°54'59" W.; thence 2877 meters (3146 yards) 180° true to the starting point.

#### **d. Caribbean disposal site**

Located northwest of the Merchant Vessel Outer Anchorage, bounded as follows: starting at a point in position 9°25'17" N., 79°57'00" W.; thence 1882 meters (2058 yards) 180° true to a point in position 9°24'16" N., 79°57'00" W; thence, 1289 meters (1410 yards) 270° true to a point in position 9°24'16" N.,

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79°57'42" W.; thence 1882 meters (2058 yards), 00° true to a point in position 9°25'17" N, 79°57'42" W.; thence 1289 meters (1410 yards) 90° true to the starting point.

**e. Outer anchorage for vessels with dangerous cargo**

Located southwest of the Merchant Vessel Outer Anchorage, bounded as follows: Starting at a point in position 9°24'00" N., 79°57'42" W.; thence 1289 meters (1410 yards) 90° true to a point in position 9°24'00" N., 79°57'00" W.; thence, 1740 meters (1903 yards) 180° true to a point in position 9°23'04" N., 79°57'00" W.; thence 1556 meters (1702 yards), 236° true to a point in position 9°22'36" N, 79°57'42" W.; thence 2611 meters (2855 yards) 00° true to the starting point.

**f. Inner anchorage for merchant vessels**

**Area A.** Area located south of the west breakwater, to the west of the Canal channel, bounded as follows: Starting at a point in position 9°23'13" N., 79°55'17" W., which is the Canal west prism; thence 1754 meters (1919 yards) 238° true, through Lighted Buoy K, to a point in position 9°22'44" N., 79°56'05" W., marked by Lighted Buoy J; thence, 934 meters (1021 yards) 180° true to a point in position 9°22'14" N., 79°56'05" W.; thence 1023 meters (1119 yards), 125° true to a point in position 9°21'55" N., 79°55'38" W., marked by Lighted Buoy I; thence 1090 meters (1192 yards) 180° true to a point in position 9°21'20" N., 79°55'38" W., thence, 741 meters (810 yards) 90° true to a point in position 9°21'20" N., 79°55'14" W., which is the "Prohibited Anchorage Area" to the west and the Canal west prism; thence 620 meters (678 yards) 351° true to a point in position 9°21'40" N., 79°55'17" W., marked by Lighted Buoy W-8; thence 2919 meters (3193 yards) 00° true to the starting point.

**Area B.** Located south of the west breakwater, to the west of the Canal channel and west of anchorage Area A, bounded as follows: starting at a point in position 9°22'44" N., 79°56'05" W., marked by Lighted Buoy J, thence 946 meters (1035 yards) 238° true to a point in position 9°22'28" N., 79°56'31" W.; thence 218 meters (238 yards) 180° true to a point in position 9°22'21" N., 79°56'31" W., near the "Shelter Point" Lighted Beacon, thence 1370 meters (1498 yards) 180° true to a point in position 9°21'37" N., 79°56'31" W., marked by Lighted Buoy H, thence 1305 meters (1427 yards) 76° true to a point in position 9°21'47" N., 79°55'50" W., thence 1993 meters (2180 yards) 180° true to a point in position 9°20'43" N., 79°55'50" W., thence 1241 meters (1357 yards) 115° true to a point in position 9°20'26" N., 79°55'14" W., on the west side of the Canal channel; thence 153 meters (167 yards) 00° true to a point in position 9°20'31" N., 79°55'14" W.; thence 99 meters (108 yards) 315° true to a point in position 9°20'33" N., 79°55'16" W.; thence 843 meters (922 yards) 306° true to a point in position 9°20'49" N., 79°55'38" W., marked by Lighted Buoy F, thence 2055 meters (2247 yards) 00° true to a point in position 9°21'55" N., 79°55'38" W., marked by Lighted Buoy I; thence 1023 meters (1099 yards) 305° true to a point in position 9°22'14" N., 79°56'05" W.; thence 934 meters (1021 yards) 00° true to starting point at Lighted Buoy J.

In this area there are two unlighted mooring buoys: the most northerly mooring buoy is at 9°21'26" N., 79°55'46" W., and the most southerly is at 9°21'04" N., 79°55'45" W.

**g. Inner anchorage for vessels with dangerous cargo**

Located immediately south of the west breakwater in anchorage areas A and B, bounded as follows: starting at a point in position 9°22'57" N., 79°55'43" W., marked by Lighted Buoy K, thence 1737 meters (1900 yards) 238° true through Lighted Buoy J to a point in position 9°22'28" N., 79°56'31" W., thence 218 meters (238 yards) 180° true to a point in position 9°22'21" N., 79°56'31" W., near the Shelter Point Lighted Beacon, thence 474 meters (518 yards), 149° true to a point in position 9°22'08" N., 79°56'23"

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W., thence 1849 meters (2022 yards), 59° true to a point in position 9°22'39" N., 79°55'32" W., thence 666 meters (728 yards), 329° true to starting point at Lighted Buoy K.

**h. Inner anchorage for merchant vessels**

**Area C.** Area located south of the anchorage area A, east of anchorage area B and west of the Canal channel. This area requires pilotage, both inbound and outbound; it is bounded as follows: Starting at a point in position 9°21'20" N., 79°55'19" W., thence 588 meters (643 yards) 270° true to a point in position 9°21'20" N., 79°55'38" W., thence 965 meters (1055 yards) 180° true to a point in position 9°20'49" N., 79°55'38" W., marked by Lighted Buoy F; thence 843 meters (922 yards) 126° true to a point in position 9°20'33" N., 79°55'16" W., thence 99 meters (108 yards) 135° true to a point in position 9°20'33" N., 79°55'16" W., thence 99 meters (108 yards) 135° true to a point in position 9°20'31" N., 79°55'14" W., thence 1222 meters (1336 yards) 00° true to a point in position 9°21'10" N., 79°55'14" W., thence 167 meters (183 yards) 270° true to a point in position 9°21'10" N., 79°55'19" W., thence 311 meters (341 yards) 00° true to the starting point.

**i. Inner anchorage for merchant vessels**

**Area D.** Area located south of the east breakwater, to the east of the Canal channel, bounded as follows: Starting at a point in position 9°23'12" N., 79°55'00" W., which is the Canal east prism, thence 1651 meters (1806 yards) 114° true to the point marked by Lighted Buoy E-1, in position 9°22'50" N., 79°54'11" W., thence 1028 meters (1124 yards) 180° true through Lighted Buoy E-2 to a point marked by Lighted Buoy E-3 in position 9°22'17" N., 79°54'11" W., thence 1223 meters (1337 yards) 239° true to a point marked by Lighted Buoy E-4 in position 9°21'57" N., 79°54'45" W., thence 467 meters (511 yards) 270° true to the Canal east prism and adjacent to the "Prohibited Anchorage Area" at the east side in position 9°21'57" N., 79°55'00" W., thence 2322 meters (2539 yards) 00° true to starting point.

**j. Beaching Area**

Located south of anchorage Area B, between Lighted Buoy 6 and Lighted Buoy 8, west of the Canal channel. This beaching area extends to the southwest for approximately one half mile, and has a depth ranging from 7 meters in the north, to 4 meters in the south; it is bounded as follows: Starting at a point in position 9°20'27" N., 79°55'15" W.; thence 955 meters (1044 yards) 295° true to a point in position 9°20'40" N., 79°55'43" W.; thence, 1061 meters (1160 yards) 212° true to the southwest corner in position 9°20'11" N., 79°56'01" W.; thence 972 meters (1063 yards), 121° true the southeast corner in position 9°19'55" N, 79°55'34" W.; thence 1157 meters (1265 yards) 31° true to the starting point.

The south boundary of the anchorage areas for vessels without pilotage goes westbound from the Cristobal Mole, 270° true through Lighted Beacon 1 (Mole) and Lighted Buoy 2 (9°21'20" N), to the waste disposal area.

**2. Gatun Lake Anchorages**

**a. Gatun anchorage area**

Area immediately adjacent to the east side of the Canal channel. Starting at an unmarked point in the south end of the east wing wall of Gatun Locks, in position 9°16'02" N., 79°55'23" W., thence 434 meters (475 yards) 120° true to a point in position 9°15'55" N., 79°55'11" W.; thence 623 meters (681 yards) 146° true to Flashing Buoy A in position 9°15'38" N., 79°54'59" W.; thence 444 meters (486 yards) 85° true to a point in position 9°15'40" N., 79°54'45" W., adjacent to the west of the Canal channel at the Banana Cut; thence 383 meters (419 yards) 176° true to a point in position 9°15'27" N, 79°54'44" W, adjacent to the west of the Canal channel at the Banana Cut; thence 418 meters (457 yards)

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186° true to the point in position 9°15'14" N, 79°54'46" W, adjacent to the west of the Canal channel at the Banana Cut; thence 509 meters (557 yards) 197° true to the point in position 9°14'58" N, 79°54'50" W, adjacent to the west of the Canal channel at the Balsa Reach; thence 413 meters (452 yards) 207° true to the point in position 9°14'46" N, 79°54'56" W, adjacent to the west of the Canal channel at the Balsa Reach; thence 410 meters (448 yards) 217° true to the point in position 9°14'36" N, 79°55'04" W, adjacent to the west of the Canal channel at the Balsa Reach; thence 663 meters (725 yards) 222° true to the point in position 9°14'20" N, 79°55'19" W at the end of the Canal channel between the Balsa and the Gatun Reach, which is the west boundary of the anchorage zone; thence 3168 meters (3465 yards) 358° true to the starting point.

**b. East Gatun anchorage area**

Area immediately adjacent to the west side of the Canal channel at the Banana Cut. Starting at an unmarked point in position 9°15'41" N., 79°54'13" W., thence 460 meters (503 yards) 85° true to Flashing Buoy 1 in position 9°15'42" N., 79°54'18" W.; thence 987 meters (1079 yards) 152° true to Flashing Buoy 3 in position 9°15'14" N., 79°54'03" W.; thence 986 meters (1078 yards) 225° true to Flashing Buoy 5 in position 9°14'52" N., 79°54'25" W.; thence 1136 meters (1242 yards) 225° true to Flashing Buoy 7 in position 9°14'26" N, 79°54'51" W; thence 822 meters (899 yards) 219° true to Flashing Buoy 9 in position 9°14'05" N, 79°55'08" W; thence 545 meters (596 yards) 212° true to Flashing Buoy 11 in position 9°13'50" N, 79°55'18" W, adjacent to the Canal channel intersection between the Gatun and the Balsa Reach to the west; thence 516 meters (564 yards) 21° true to the point in position 9°14'06" N, 79°55'12" W, adjacent to the east of the Canal channel at the Balsa Reach; thence 642 meters (702 yards) 34° true to the point in position 9°14'23" N, 79°55'00" W, adjacent to the east of the Canal channel at the Balsa Reach; thence 1534 meters (1678 yards) 42° true to the point in position 9°15'00" N., 79°54'27" W adjacent to the east of the Canal channel at the Balsa Reach; thence 1286 meters (1406 yards) 351° true to the starting point.

**c. Anchorage for vessels with dangerous cargo**

Located west of the Canal channel in Gatun Reach, bounded as follows: Starting at Lighted Buoy 8 in position 9°14'21" N., 79°55'31" W.; thence 513 meters (561 yards) 183° true to a point in position 9°14'05" N, 79°55'32" W; thence 1594 meters (1743 yards) 180° true to a point in position 9°13'14" N, 79°55'32" W; thence 1111 meters (1215 yards) 178° true to Lighted Buoy 14 in position 9°12'38" N, 79°55'31" W; thence 223 metros (244 yards) 121° true to Lighted Buoy 16 in position 9°12'34" N, 79°55'25" W; thence 1019 meters (1114 yards) 210° true to Lighted Buoy 10-E in position 09°12'06" N, 79°55'41" W; thence 1574 meters (1721 yards) 300° true to Lighted Buoy 10-D in position 09°12'31" N, 79°56'25" W; thence 3549 meters (3881 yards) 15° true to Lighted Buoy 10-A in position 09°14'22" N, 79°55'55" W; thence 731 meters (799 yards) 90° true to the starting point at Lighted Buoy 8.

There is an unlighted mooring buoy to the southwest of the anchorage area.

**3. Pacific Entrance**

**a. Merchant vessel anchorage**

Bounded as follows: starting at a point in position 8°51'45" N., 79°29'50" W., marked by Whistle Sea Buoy, which is painted with red and white vertical stripes, and shows a shortlong flashing white light (Morse code A), 3677 meters (4021 yards) 90° true to a point in position 8°51'45" N., 79°27'52" W.; thence 4975 meters (5441 yards) 00° true to a point in position 8°54'25" N., 79°27'52" W.; thence 4909 meters (5369 yards) 270° true to a point in position 8°54'25" N., 79°30'30" W.; thence 2250 meters

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(2570 yards) 215° true to a point in position 8°53'23" N., 79°31'13" W., marked by Lighted Buoy 2 at the Canal entrance; thence 3978 meters (4351 yards) 140° true to starting point at Sea Buoy.

**b. West Merchant Vessel Anchorage Expansion**

Extends to the southwest as follows: starting from a point in position 8°51'45" N., 79°32'21" W., thence 3945 meters (4314 yards) 90° true to a point in position 8°51'45" N., 79°30'13" W.; thence 4247 meters (4645 yards) 142° true to a point in position 8°49'58" N., 79°28'48" W.; thence 6574 meters (7189 yards) 270° true to a point in position 8°49'58" N., 79°32'21" W.; thence 3335 meters (3647 yards) 00° true to the starting point.

**c. East merchant vessel anchorage expansion**

Extends to the southeast as follows: starting at a point in position 8°51'45" N., 79°29'50" W., marked by Whistle Sea Buoy, which is painted with red and white vertical stripes, and shows a shortlong flashing white light (Morse code A), 3677 meters (4021 yards) 90° true to a point in position 8°51'45" N., 79°27'51" W.; thence 3335 meters (3647 yards) 180° true to a point in position 8°49'58" N., 79°27'51" W.; thence 1125 meters (1230 yards) 270° true to a point in position 8°49'58" N., 79°28'28" W.; thence 4201 meters (4594 yards) 323° true to starting point at Whistle Sea Buoy.

**d. Anchorage for vessels with dangerous cargo**

Area to the west of the Canal channel, bounded as follows: Starting at a point in position 8°51'45" N., 79°32'42" W., thence 1606 meters (1756 yards) 24° true to a point marked by Lighted Buoy Y in position 8°52'32" N., 79°32'21" W., thence 820 meters (897 yards) 78° true to a point marked by Lighted Buoy Y-1 in position 8°52'38" N., 79°31'55" W.; thence 794 meters (868 yards) 78° true to a point marked by Lighted Buoy X in position 8°52'43" N., 79°31'30" W., thence 2027 meters (2217 yards) 120° true to a point in position 8°52'10" N., 79°30'33" W., thence 995 meters (1088 yards) 142° true to a point in position 8°51'45" N., 79°30'13" W., thence 4594 meters (5024 yards) 270° true to the starting point.

**e. Small craft anchorage**

Small craft shall anchor within an area between 183 meters (200 yards) offshore of Flamenco Island and the Canal channel Buoy 6. The north boundary of the anchorage areas without pilotage is the line that, passing Buoys 1 and 2 from the Canal entrance, extends from Lighted Buoy X in the anchorage area for vessels with dangerous cargo, to the San Jose rock located east of the channel.

However, small craft may be authorized to anchor without a pilot north of the boundaries established in this paragraph. Likewise, small craft for recreational use may be authorized to move without a pilot to or from marinas or ramps located within Canal waters.

Anchorage in non-designated areas as stipulated in this article is prohibited.

Pacific disposal sites are described below:

**Tortolita disposal site.** Starting at Lighted Buoy Y in position 8°52'32" N., 79°32'21" W.; thence 1606 meters (1756 yards) 204° true to a point in position 8°51'45" N., 79°32'42" W.; thence, 1297 meters (1418 yards) 270° true to a point in position 8°51'45" N., 79°33'24" W.; thence 2340 meters (2559 yards), 40° true to a point in position 8°52'43" N., 79°32'35" W.; thence 549 meters (600 yards) 127° true to the starting point.

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**Tortolita disposal site expansion.** Starting at Lighted Buoy B in position 8°51'45" N., 79°32'47" W.; thence 1699 meters (1858 yards) 180° true to a point in position 8°50'50" N., 79°32'47" W; thence, 632 meters (691 yards) 270° true to a point in position 8°50'50" N., 79°33'08" W; thence 1191 meters (1302 yards), 295° true to a point marked by Lighted Buoy E in position 8°51'06" N, 79°33'43" W.; thence 1327 meters (1451 yards) 25° true to a point marked by Lighted Buoy A in position 8°51'45" N, 79°33'25" W; thence 1169 meters (1278 yards) 90° true to the starting point.

**Tortolita South Disposal Site.** Starting at a point in position 8°51'17" N., 79°32'21" W.; thence 1280 meters (1400 yards) 180° true to a point in position 8°50'35" N., 79°32'21" W; thence, 814 meters (890 yards) 270° true to a point in position 8°50'35" N., 79°32'47" W; thence 1280 meters (1400 yards), 00° true to a point in position 8°51'17" N, 79°32'47" W.; thence 814 meters (890 yards) 90° true to the starting point.

**Article 49:** Anchoring in areas other than the designated anchorage areas specified in the previous article, as well as tying up to any aid to navigation in Canal waters, is hereby prohibited.

In addition, it is prohibited to anchor with less than 335 meters (1100 feet) on each side of the Canal channel when this channel runs near or through a designated anchorage area, to include the outer anchorage extensions at the Atlantic or the Pacific entrances, unless the vessel has obtained approval from the Authority.

**Article 50:** A vessel in danger, in an emergency situation, or in need of assistance, may use a non-designated anchorage area, provided that such vessel has, to the extent possible, given due notice in advance to the Authority.

In the cases described above, vessels intending to anchor inside the Cristobal breakwater may request a pilot for such purpose, or the Authority may designate one if it deems it necessary. In such cases, the costs for using a pilot shall be borne by the vessel.

**Article 51:** A vessel without a pilot in control shall anchor in the area designated by the Atlantic or Pacific control tower, as applicable, to await instructions and inspection.

When a vessel anchors to await on third-party services, the control tower shall suggest an anchorage area depending on the service it will receive.

**Article 52:** No person, other than pilots and inspection officers of the Authority in the performance of their duties, may embark or disembark an anchored vessel or underway in Canal waters, with or without the consent of its master, until the vessel has been declared safe, in accordance with safety and public health regulations.

**Article 53:** Persons authorized to embark or disembark vessels underway shall do so at points that have been designated by the Authority, in accordance with the following:

1. Persons authorized to use Authority launches shall only be permitted to embark or disembark from transiting vessels at points that have been designated for such purpose. Pilots, linehandlers, and other employees shall abide by the operational requirements when performing their official duties.

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2. When necessary, and after obtaining authorization from the Authority, exceptions to the above provisions may be made on a case by case basis, including embarking or disembarking at the locks. Authorization must be obtained prior to embarking a person on a vessel with the intent to disembark at some point other than those designated by the Authority for such purpose.

### **Section Three Proceedings Ordered by the Judicial Branch or the Public Ministry**

**Article 54:** The transit of vessels may not be interrupted in order to enforce the measures referred to in this section.

**Article 55:** The Authority shall provide any transit information requested by a competent authority regarding a vessel navigating within or towards Canal waters in order to enforce court orders or conduct criminal investigations aboard such vessel while it is in Canal waters. The competent authority must submit its request in writing to the Authority.

**Article 56:** The Authority shall cooperate with the competent authorities that request collaboration in order to enforce proceedings ordered by the Maritime Tribunal or the Public Ministry on board vessels within Canal waters, as set out below:

1. The Authority shall coordinate with the competent authority so that the proceedings are carried out without affecting the Canal's scheduling and operation. The proceedings may be carried out at any time after the vessel has cleared the last set of locks.
2. If the vessel is required to be docked subject to the attachment, unless it is operationally feasible to do it otherwise, the Authority shall permit alteration of the vessel's intended course only after it has passed Buoys 1 and 2, in the case of a southbound vessel, and the Mole Buoy at Cristobal, in the case of a northbound vessel. Any pilotage services required to take the vessel to port shall be charged to the vessel.
3. If a writ of attachment against a vessel that is at anchor is received, such vessel shall not start its transit. The court order must be received sufficiently in advance to notify the pilot prior to the vessel's weighing anchor. When the order is entered by a Maritime Tribunal, the costs incurred by the Authority with regard to the enforcement of such order shall be borne by the party who requested the attachment or arrest.
4. If a writ of attachment against a vessel that is docked is received and the pilot assigned to it has not cast off the lines, the pilot shall be instructed not to do so.
5. If the pilot has already ordered the lines cast off by the time the attachment or arrest order is received and the dock workers have not done so, the pilot shall not make any further attempt to get underway. If the lines have been cast off, the pilot shall assume control of the vessel's movements and navigation, in the interest of safety. The guidelines contained in item 1 of this article shall apply hereinafter.

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6. The Authority shall not schedule the transit of an attached or arrested vessel and shall not provide pilotage services until the attachment or arrest order issued against it is lifted by means of a court order issued by the competent court.

**Chapter IV**  
**General and Specific Provisions Regarding Vessels**

**Section One**  
**Size, draft, and trim limitations of vessels**  
**up to Panamax size**

**Article 57:** A transiting vessel shall abide by the following draft rules:

**1. Maximum Draft:**

- a. The maximum authorized transit draft is 12.04 meters (39.5 feet) tropical fresh water (TFW), with Gatun Lake level at 24.02 meters (78.8 feet) or more. This provides a safe navigational margin of at least 1.50 meters (5 feet) in critical Canal areas, and a safe margin of at least 0.60 meters (2 feet) over the lock sills.
- b. Before initial transit of a vessel having a draft over 10.82 meters (35.5 feet), its owners, operators or agents shall provide all the information required in item (c) of this article, and shall request the Authority the maximum authorized transit draft of the vessel (maximum point of immersion), at least two weeks before loading it. This request shall be returned with the indication of the maximum authorized transit draft.
- c. The information required in item (b) of this article shall be submitted in the following format:

**INFORMATION NEEDED PRIOR TO INITIAL TRANSIT THROUGH THE PANAMA CANAL**

Bilge Information

Name of vessel \_\_\_\_\_ Date \_\_\_\_\_

Authorized tropical fresh water (TFW) load line \_\_\_\_\_

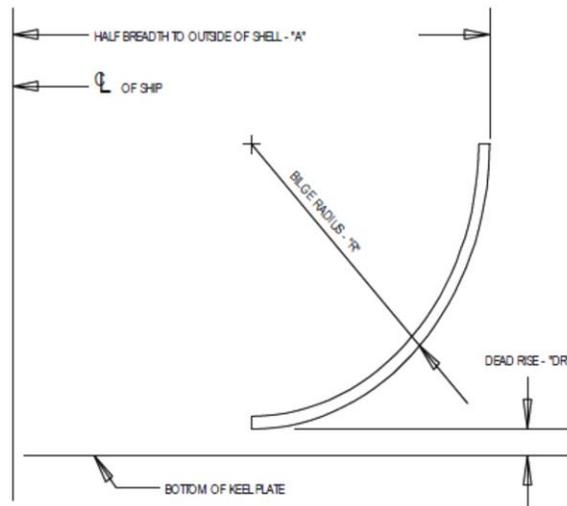
Admeasurer \_\_\_\_\_ Certified as correct \_\_\_\_\_

[Master - Owners - Agents]

- a. "A" Half breadth of vessel to the outside of shell (meters/feet & inches) \_\_\_\_\_
- b. "R" Radius of turn of bilge (meters/feet & inches) \_\_\_\_\_
- c. "DR" - Dead rise at side of vessel (centimeters/inches) \_\_\_\_\_

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**NOTE:** During an off center lockage in which the vessel contacts the locks walls, the bilge radius should be free from chamber batters in the most critical part, as shown in the Table of Maximum Authorized Draft.

d. A maximum authorized draft of 35'-06" shall be allowed for the initial transit. If information on the radius of turn of bilge is provided, a greater maximum authorized draft may be approved. After the initial transit, unless the vessel's agent or owner is notified of any restrictions imposed by the Authority, this maximum authorized draft shall remain in effect.

**TABLE OF MAXIMUM AUTHORIZED DRAFT DUE TO BILGE RADIUS CONTACTING CHAMBER BATTERS**

Allows for 15.24 cm (6") thick rubber fenders on lock walls at batter locations

	Radius of turn of bilge (meters)				
	0.30 m	0.60 m	0.90 m	1.20 m	1.50 m
0.000 m	10.87 m	11.12 m	11.37 m	11.62 m	11.87 m
0.025 m	10.89 m	11.14 m	11.39 m	11.64 m	11.89 m
0.050 m	10.91 m	11.16 m	11.41 m	11.66 m	11.91 m
0.075 m	10.93 m	11.18 m	11.43 m	11.68 m	11.93 m
0.100 m	10.95 m	11.20 m	11.45 m	11.70 m	11.96 m
0.125 m	10.97 m	11.22 m	11.47 m	11.73 m	11.98 m
0.150 m	10.99 m	11.24 m	11.50 m	11.75 m	12.00 m
0.175 m	11.01 m	11.27 m	11.52 m	11.77 m	12.02 m
0.200 m	11.04 m	11.29 m	11.54 m	11.79 m	12.04 m
0.225 m	11.06 m	11.31 m	11.56 m	11.81 m	-
0.250 m	11.08 m	11.33 m	11.58 m	11.83 m	-
0.275 m	11.10 m	11.35 m	11.60 m	11.85 m	-

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	Radius of turn of bilge (feet)				
	1'	2'	3'	4'	5'
0"	35'8"	36'6"	37'4"	38'2"	39'0"
1"	35'9"	36'7"	37'5"	38'3"	39'1"
2"	35'10"	36'8"	37'6"	38'4"	39'2"
3"	35'10"	36'8"	37'6"	38'5"	39'3"
4"	35'11"	36'9"	37'7"	38'5"	39'3"
5"	36'0"	36'10"	37'8"	38'6"	39'4"
6"	36'1"	36'11"	37'9"	38'7"	39'5"
7"	36'2"	37'0"	37'10"	38'8"	39'6"
8"	36'3"	37'1"	37'11"	38'10"	-
9"	36'3"	37'1"	38'0"	38'10"	-
10"	36'4"	37'2"	38'0"	38'10"	-
11"	36'5"	37'3"	38'1"	38'11"	-

EXAMPLE: To find the draft of a vessel with a radius of turn of bilge of 1.325 m (4'4"), read across top of table to column headed 1.20 m (4'), thence down column to the line that reads 0.125 m (4"). This will result in 11.73 m (38'5").

NOTE: Dead rise is not included in the above tabulations and must be added to the table readings.

## 2. Minimum Draft:

a. All vessels must have sufficient ballast to permit safe handling. The following are minimum salt water drafts for vessels intending to transit:

- a.1 Drag must not adversely affect maneuverability or visibility.
- a.2 Drag normally should not exceed 1.83 meters (6.0 feet).

LENGTH	MINIMUM DRAFT IN TROPICAL SALT WATER (TSW)
Up to 129.54 m (425')	Trimmed so pilot can see the ranges over the forecastle from center of navigation bridge.
Over 129.54 m (425')	2.44 m (8') forward, 4.27 m (14') aft, TSW
Over 144.78 m (475')	5.49 m (18') forward, 6.10 m (20') aft, TSW
Over 160.02 m (525')	6.10 m (20') forward, 6.71 m (22') aft, TSW
Over 176.78 m (580')	6.71 m (22') forward, 7.31 m (24') aft, TSW
Over 190.50 m (626')	7.31 m (24') forward, 7.92 m (26') aft, TSW

b. A vessel whose ballast draft does not meet the minimum draft requirements may be accepted for transit, provided the following information is submitted to the Authority for risk assessment and consideration:

- b.1 Principal dimensions of the vessel.
- b.2 Maximum attainable draft under this condition (fore and aft).

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- b.3 Limitations on visibility fore and aft from the navigation bridge.
- b.4 Copies of the vessel's plans, drawings and maneuvering data relating to the vessel.

c. A vessel having received permission to transit at less than the minimum required draft will be inspected by the Authority upon its first visit under ballast conditions. If the vessel is accepted for transit at less than the prescribed minimum draft, the operator will be notified that transit on a regular basis has been authorized, provided that the vessel meets the special minimum draft specified in that notification, and the master signs a form releasing the Authority from liability.

**Article 58:** The maximum draft of a vessel up to Panamax size may be restricted in the following cases:

1. When the Gatun Lake level decreases below 24.02 meters (78.8 feet).
2. Any other fact justifying such action.

The reductions to the maximum authorized drafts are made in 15.24 centimeter (6 inch) decrements at a time and, if possible, will be announced with 3 week advance notice, based on precipitation forecasts.

A vessel that has already been loaded to the maximum draft in force at the time of enactment of a new draft restriction, will be allowed to transit with not more than 15.24 centimeters (6 inches) above that restriction. If necessary, the vessel shall be required to trim or partially offload until a safe draft for to navigate in Canal waters is achieved.

**Article 59:** Neither the master nor the crew may alter a vessel's trim or draft while it is in transit without obtaining prior authorization from the Authority.

Additional restrictions may be imposed on a vessel whose length, beam, trim or maneuvering characteristics put the vessel, third-parties or Canal facilities at risk.

**Article 60:** Size limitations in terms of beam, length, width, height and protrusions are also established below; however, the Authority may approve temporary exceptions to these restrictions:

**1. Maximum beam:**

The maximum beam for a vessel and the integrated tug-barge combination acceptable for regular transit is 32.37 meters (106.2 feet), measured from the outer shell plating.

**2. Maximum length:**

a. The maximum length, including bulbous bow, for a vessel acceptable for regular transit is 289.63 meters (950 feet), except for passenger and container vessels, which may be 294.51 meters (966 feet). Vessels transiting the Canal for the first time at a length exceeding 274.39 meters (900 feet), whether newly constructed or modified, shall be subject to prior inspection, review and approval of the vessel's plans. A vessel that has not received prior approval or does not comply with Canal requirements may be denied transit in accordance with the provisions of Article 65 of this Regulation.

b. The maximum length overall for non-self-propelled vessels acceptable for transit is 259.15 meters (850 feet), including the accompanying tug. Normally, accompanying tugs must lock through with the non-self-propelled vessel. One-time only transits that exceed these limitations may be permitted on a case by case basis, with prior approval of the Authority, in accordance with article 4 of this Regulation and the draft restrictions set out in article 88 of this Regulation.

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**3. Maximum width:**

No vessel with a maximum width exceeding its maximum beam may transit the Canal without the Authority's prior review and approval of the vessel's plans. Vessels that do not obtain prior approval or that do not meet Canal requirements for maximum width, shall be denied transit.

**4. Maximum height:**

a. The allowable height for any vessel transiting the Canal or entering any Canal port terminals is 57.91 meters (189.94 feet) at any state of the tide, measured from the waterline to the highest point of the structure. Heights exceeding 57.91 meters (189.94 feet) shall be subject to prior approval of the Authority on a case by case basis.

b. The maximum height allowed for any vessel not transiting under the Bridge of the Americas or that will only transit through the Atlantic locks shall be 70.43 meters (231 feet).

**5. Protrusions:**

a. Any thing or object, temporary or permanent, that extends beyond any portion of a vessel's hull, except for the main anchors, shall be considered a protrusion, and shall be subject to the respective rules and limitations.

b. The Authority shall not be responsible for damages to protrusions, whether permanent or temporary.

c. A vessel with protrusions may be permitted to transit, provided that such protrusions do not interfere with the safe transit of the vessel or represent a risk to Canal structures, as determined by the Authority.

d. Before arriving at Canal waters, a vessel with protrusions must furnish detailed information about the protrusions, including plans, and request authorization for transit. The information furnished in advance will minimize the possibility of delays or denial of transit.

e. Vessels with protrusions may be allowed to transit with the prior approval of the Authority and on a case-by-case basis, provided that such protrusions do not represent a risk or interfere with lock structures, equipment, and operation.

f. Any protrusion extending beyond the vertical plane of the vessel's hull shell plating higher than 12.87 meters (42.20 feet) above the waterline at the current transit draft, must maintain a minimum distance of 1.00 meter (3.28 feet) between the protrusion and any locks equipment or structure.

g. Any vessel with windows, portlights, side ports, or other appurtenances below a level of 12.87 meters (42.20 feet) above the waterline at the current transit draft, must take measures to ensure their protection should the vessel contact the locks wall.

In order to ensure reasonable safety, additional restrictions may be imposed on a vessel whose length, beam, trim or maneuvering characteristics put the vessel, third-parties or Canal facilities at risk.

## **Section Two**

### **Size, draft and trim restrictions applicable to Neopanamax and Panamax Plus vessels**

**Article 61:** Neopanamax or Panamax Plus vessels transiting the Canal shall abide by the following draft rules:

**Maximum Draft:**

The maximum authorized transit draft is 15.24 meters (50 feet) tropical fresh water (TFW), with Gatun Lake level at 25.91 meters (85 feet) or more. This provides a safe margin of at least 1.52 meters (5 feet) underkeel for safe navigation over critical Canal areas, and a margin of at least 3.05 meters (10 feet) over the lock sills.

**Article 62:** The maximum draft for a Panamax Plus or Neopanamax vessel may be restricted in the following cases:

1. When the Gatun Lake level decreases below 25.91 meters (85 feet).
2. Any other fact justifying such action.

The reductions to the maximum authorized drafts are made in 15.24 centimeter (6 inch) decrements at a time and, if possible, will be announced with 3 week advance notice, based on precipitation forecasts.

A vessel that has already been loaded to the maximum draft in force at the time of enactment of a new draft restriction, will be allowed to transit with not more than 15.24 centimeters (6 inches) above that restriction. If necessary, the vessel shall be required to trim or partially offload until a safe draft for to navigate in Canal waters is achieved.

**Article 63:** Size limitations in terms of beam, length, width, height and protrusions are also established below; however, the Authority may approve temporary exceptions to these restrictions:

**Maximum beam:**

- a. The maximum beam for a vessel and the integrated tug-barge combination for regular transit is 51.25 meters (168.14 feet), measured from the outside surface of the shell plating.
- b. The maximum beam to transit a towed vessel (other than integrated tug-barge combination) is 36.5 meters (119.72 feet). One-time transit of wider vessels may be permitted with the prior approval of the Authority, on a case-by-case basis, and subject to the requirements and draft limitations listed in article 88 of this Regulation.

**Maximum length:**

- a. The maximum length, including bulbous bow, for the transit of a vessel is 367.28 meters (1205 feet). Vessels transiting the Canal for the first time, whether newly constructed or modified, shall be subject to prior inspection, review and approval of the vessel's plans. Any vessel that has not received prior approval or does not comply with Canal requirements may be denied transit in accordance with the provisions of article 65 of this Regulation.
- b. The maximum length, including the barge and tug, for the transit of an integrated tug-barge combination acceptable for regular transit is 367.28 meters (1205 feet). The integrated tug-barge combination shall transit as one vessel and the tug shall produce the propelling force.

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c. The maximum length overall for the transit of a non-self-propelled vessel is 305 meters (1000.40 feet), including its tug. Normally, accompanying tugs must lock through with the non-self-propelled vessel. One-time only transits that exceed these limitations may be permitted on a case-by-case basis, with prior approval of the Authority, in accordance with article 4 of this Regulation and the draft restrictions set out in article 88 of this Regulation.

**Maximum width:**

No vessel with a maximum width exceeding its maximum beam may transit the Canal without the Authority's prior review and approval of the vessel's plans. Vessels that do not obtain prior approval or that do not meet Canal requirements for maximum width, shall be denied transit.

**Protrusions:**

a. Any thing or object, temporary or permanent, that extends beyond any portion of a vessel's hull, except for the main anchors, shall be considered a protrusion, and shall be subject to the respective rules and limitations.

b. The Authority shall not be responsible for damages to protrusions, whether permanent or temporary.

c. A vessel with protrusions may be permitted to transit, provided that such protrusions do not interfere with the safe transit of the vessel or represent a risk to Canal structures, as determined by the Authority. Prior to authorizing transit, the vessel's master must complete a document releasing the Authority from liability for damages to protrusions or caused by them.

d. Before arriving at Canal waters, a vessel with protrusions must furnish detailed information about the protrusions, including plans, and request authorization for transit. The information furnished in advance will minimize the possibility of delays or denial of transit.

e. Vessels with protrusions may be allowed to transit with the prior approval of the Authority and on a case-by-case basis, provided that such protrusions do not represent a risk or interfere with lock structures, equipment, and operation.

f. The vessel's construction shall allow any protrusions extending beyond the vertical plane of the vessel's hull shell plating to maintain a minimum distance of 1.00 meter (3.28 feet) between the protrusion and any locks equipment or structure, except for the locks wall. Any vessel with windows, portlights, sideports, or other appurtenances below a level of 15.24 meters (50.00 feet) above the waterline at the current transit draft, must take measures to ensure their protection should the vessel contact the locks wall or fenders.

g. Protrusions, cargo or extensions beyond the vessel's side located at 16.85 meters (55.26 feet) or less above waterline are not acceptable; however, extensions up to 4 meters (13.12 feet) above the hull and higher than 16.85 meters (55.26 feet) above the waterline, shall be reviewed on a case-by-case basis to verify the minimum distance of 1.00 meter (3.28 feet) over the locks walls. Protrusions up to 5.00 meters (16.4 feet) and higher than 25.44 meters (83.44 feet) above the waterline shall also be reviewed on a case-by-case basis to verify the minimum clearance for all equipment.

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In order to ensure reasonable safety, additional restrictions may be imposed on a vessel whose length, beam, trim or maneuvering characteristics put the vessel, third-parties or Canal facilities at risk.

**Maximum height:**

- a. The maximum allowable height for any vessel transiting the Canal or calling any port terminals located in Canal waters is 57.91 meters (189.94 feet) at any state of the tide, measured from the waterline to the highest point of the structure. Heights exceeding 57.91 meters (189.94 feet) shall be subject to prior approval of the Authority on a case-by-case basis.
- b. The maximum allowable height for any vessel that will only transit through the Atlantic locks shall be 70.43 meters (231 feet).
- c. Minimum draft:
  - c.1 Drag must not adversely affect maneuverability or visibility.
  - c.2 Drag normally should not exceed 1.83 meters (6.0 feet).

<b>LENGTH</b>	<b>MINIMUM DRAFT IN TROPICAL SALT WATER (TSW)</b>
Up to 129.54 m (425')	Trimmed so pilot can see the ranges over the forecastle from center of navigation bridge.
Over 129.54 m (425')	2.44 m (8') forward, 4.27 m (14') aft, TSW
Over 144.78 m (475')	5.49 m (18') forward, 6.10 m (20') aft, TSW
Over 160.02 m (525')	6.10 m (20') forward, 6.71 m (22') aft, TSW
Over 176.78 m (580')	6.71 m (22') forward, 7.31 m (24') aft, TSW
Over 190.50 m (626')	7.31 m (24') forward, 7.92 m (26') aft, TSW
Over 304.80 m (1,000')	7.92 m (26') forward, 8.53 m (28') aft, TSW
Over 335.28 m (1,100')	8.53 m (28') forward, 9.14 m (30') aft, TSW

- d. A vessel whose ballast draft does not meet the minimum draft requirements may be accepted for transit, provided the following information is submitted to the Authority for risk assessment and consideration:
  - d.1 Principal dimensions of the vessel.
  - d.2 Maximum attainable draft under this condition (fore and aft).
  - d.3 Limitations on visibility fore and aft from the navigation bridge.
  - d.4 Copies of the vessel's plans, drawings and maneuvering data relating to the vessel.

A vessel that received permission to transit at less than the minimum required draft will be inspected by the Authority upon its first visit under ballast conditions. If the vessel is accepted for transit at less than the prescribed minimum draft, the operator will be notified that transit on a regular basis has been authorized, provided that the vessel meets the special minimum draft specified in that notification, and the master signs a form releasing the Authority from liability.

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### **Section Three Vessels in Special Conditions**

**Article 64:** The Authority may authorize transit of a vessel at its own risk when vessel has a list between 3 and 10 degrees, its trim or stowage affects its maneuverability, or when it exceeds the limits established in this Chapter.

Prior to authorizing the transit of such vessels, its master shall sign the document releasing the Authority from liability established in article 4 of this Regulation.

**Article 65:** The Authority may deny navigation in Canal waters of a vessel in special conditions, including:

- a. When the vessel's maximum point of immersion exceeds its maximum authorized draft.
- b. When the vessel's maximum point of immersion exceeds the published tropical fresh water (TFW) maximum draft in effect at that moment.
- c. When the maximum length, including bulbous bow, exceeds what is established in Sections One and Two of Chapter IV of this Regulation.
- d. When the maximum beam exceeds by any amount what is established in Sections One and Two of Chapter IV of this Regulation.
- e. When it has equipment or objects extending beyond the hull that may interfere with the safe transit or represent a risk to Canal structures, as determined by the Authority.
- f. When the vessel has a list between 3 and 10 degrees and the reason for the list has not been established. Transit will be denied if the list exceeds 10 degrees.
- g. When visibility from the navigation bridge does not meet the minimum requirements as stated in Article 72, or when, in the opinion of the Authority, the operation represents an extreme risk.
- h. When in the opinion of the Authority the vessel's trim forward (positive) or aft (negative), as well as the way it was loaded, affects its maneuverability.

**Article 66:** The Authority shall be released from all liability and indemnified for the damages that the vessel sustains as a result of accidents that occur due to any of the special conditions listed in this article, presented by the vessel.

A vessel that presents special conditions shall be evaluated by the Authority, prior to approval for its navigation in Canal waters or its Canal transit. If navigation or transit is approved, the vessel's master shall sign a document of indemnity and release of liability, in accordance with the provisions of article 4 of this Regulation. Following are the special conditions:

- a. Draft of less than the minimum required, a list of more than 3 degrees, a trim or loaded in a way that does not comply with the requirements established by the Authority, or that its loaded condition adversely affects its maneuverability.
- b. The vessel has protrusions.
- c. The visibility from the navigation bridge represents a risk, as determined by the Authority.
- d. The vessel's chocks and bits, or other vessel's equipment, fail to comply with Canal requirements.
- e. With beam in excess of 32.37 meters (106.2 feet) or any limitation of length or beam for Panamax vessels transiting Miraflores, Pedro Miguel or Gatun Locks; or with beam in excess of 51.25 meters (168.14 feet) or any limitation of length or beam for Neopanamax vessels.
- f. Any other deficiencies described in this Regulation.

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- g. When the first line is sent out during the process of docking or berthing in a dry dock.
- h. When the last line is let go during the process of undocking from a dry dock.

The Authority shall be released from all liability and shall be indemnified for any damages related to the process of berthing or undocking a vessel at port facilities whose structures or any part of these structures are in bad condition, including that its port basin does not comply with the minimum required depths.

#### **Section Four Boarding and Disembarking Facilities**

**Article 67:** All vessels must provide, for the use of pilots, Canal deckhands, other Authority personnel, and persons authorized to embark or disembark in Canal waters, appropriate and safe boarding and disembarking facilities that comply with the requirements described in the International Convention for the Safety of Life at Sea, 1974/78 (SOLAS), as follows:

**1. Pilot Ladder:**

- a. The ladder shall be constructed for the purpose of embarking and disembarking safely. It shall be kept clean and in good condition, and shall be made available for use by the authorities and other persons when the vessel arrives or departs a port.
- b. The ladder shall be secured in a position so that it is clear of any possible discharges from the vessel, that each step rests firmly against the vessel's side, and that it is clear so far as practicable of the finer lines of the vessel, so that the authorized personnel can board or disembark in a safe and convenient manner after climbing not less than 1.5 meters (5 feet) and not more than 9 meters (30 feet). Once installed, the ladder must not touch the water surface.
- c. A single length of ladder shall be sufficient to reach the water from the boarding or disembarking access point of the vessel, and all measures necessary shall be taken to guarantee that this condition is met under any situation of load or trim of the vessel, and with a list toward the opposite side of 15 degrees; the securing strong points, shackles and securing ropes shall be at least as strong as the side ropes.
- d. When the distance from the surface of the water to the point of access to the vessel is more than 9 meters (30 feet), the access from the pilot ladder to the vessel shall be by means of an accommodation ladder or other equally safe and convenient means.
- e. The steps of the pilot ladder shall have the following characteristics:
  - e.1. Shall be constructed of hardwood or other material of equivalent properties, made of one piece free of knots, having a nonslip surface. The four lowest steps may be made of rubber of sufficient strength and stiffness, or of other suitable material of equivalent characteristics.
  - e.2. Shall not be painted an opaque color, nor with high gloss paint.
  - e.3. Shall have the grain and character of the wood visible, so that any cracks or defects can be readily visible to the person using the ladder.
  - e.4. Shall not be less than 480 millimeters (19 inches) long, 115 millimeters (4.5 inches) wide, and 25 millimeters (1 inch) in depth, excluding any nonslip material.
  - e.5. Shall be equally spaced, not less than 300 millimeters (12 inches), nor more than 380 millimeters (15 inches) apart, and secured in such a manner that they remain horizontal.

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- f. No pilot ladder shall have more than two (2) replacement steps secured by a method other than that used in the original construction of the ladder. Any step so secured shall be replaced as soon as practicable by steps secured by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the ladder by means of grooves on the sides of the step, such grooves shall be on the longer sides of the step.
- g. The side ropes of the ladder shall consist of uncovered manila ropes, not less than 18 millimeters (0.7 inches) in diameter. Both shall be continuous, with no joints below the top step. Two manropes firmly fastened to the vessel, and not less than 28 millimeters (1.1 inches) in diameter, and a safety line shall be kept at hand, ready for use if required.
- h. Spreaders made of hardwood, or other material of equivalent properties, of one piece, and not less than 1.80 meters (6 feet) in length, shall be provided at intervals to prevent the pilot ladder from twisting. The lowest spreader shall be placed on the fifth step from the bottom of the ladder, and the interval between any spreader and the next shall not exceed 9 steps.
- i. Means shall be provided to ensure safe and convenient passage, in order to embark and disembark the vessel between the top of the pilot ladder, or any accommodation ladder, or other means provided, and the vessel. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where the passage is by means of a bulwark ladder, the ladder shall be securely attached to the bulwark rail or platform, and two (2) handhold stanchions shall be fitted at the point of boarding or disembarking the vessel, not less than 0.7 meters (2 feet 3 inches) apart, and no more than 0.8 meters (2 feet 7 inches) apart. Each stanchion shall be rigidly fastened to the vessel's structure at or near its base, and also at a higher point, and shall not be less than 32 millimeters (1.25 inches) in diameter, extending not less than 1.2 meters (3.92 feet) above the top of the bulwark.
- j. Lighting shall be provided at night so that both the pilot ladder placed over the side of the vessel and the area where the personnel access the vessel shall be adequately lit. A life buoy, equipped with an automatic igniting light and a heaving line, shall be kept at hand ready for use if necessary.
- k. Means shall be provided to enable the pilot ladder to be used on either side of the vessel.
- l. The placement of the ladder, and the embarkation and disembarkation of personnel, shall be supervised by a vessel officer.
- m. When there are structural elements of a vessel, such as rubbing bands, that prevent compliance with any of these provisions, the necessary means for the safe embarkation and disembarkation of the personnel shall be provided, to the satisfaction of the Authority.

**2. Accommodation Ladder:**

- a. Accommodation ladders shall lead aft with the lower platform toward the stern. Accommodation ladders that lead forward, or do not rest firmly against the vessel's side, are not considered safe for use by Authority personnel. The lower end of the accommodation ladder must rest within the parallel mid-body of the vessel, not near the bow or stern. Stanchions and rails or lines shall be properly rigged. The lower platform of the accommodation ladder shall be kept in a horizontal position, with vertical stanchions installed, and it should be held at a distance above the water equal to the deck of the boarding launch. The

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boat spar shall be extended. The upper platform shall also have vertical stanchions and a safety line in place.

b. An accommodation ladder used in combination with a pilot ladder should have a maximum slope of 45 degrees. The pilot ladder and the accommodation ladder must be close together, and secured together at the edge of the lower platform, with the pilot ladder hanging vertically. The lower platform must be held at a level to allow for the height of the launch deck, plus the height of a person standing on the deck, plus the rise and fall due to swell; normally 7 meters (23 feet) above the water level is sufficient.

c. When using an accommodation ladder, the provisions of item 1(i) of this Article, regarding safety equipment and personnel, must be observed.

d. An accommodation ladder that is not appropriate may require the use of tugs to make the vessel come to a complete stop while embarking or disembarking personnel. This is considered a deficiency, and tugs shall be provided at the expense of the vessel.

### **3. Side Ports:**

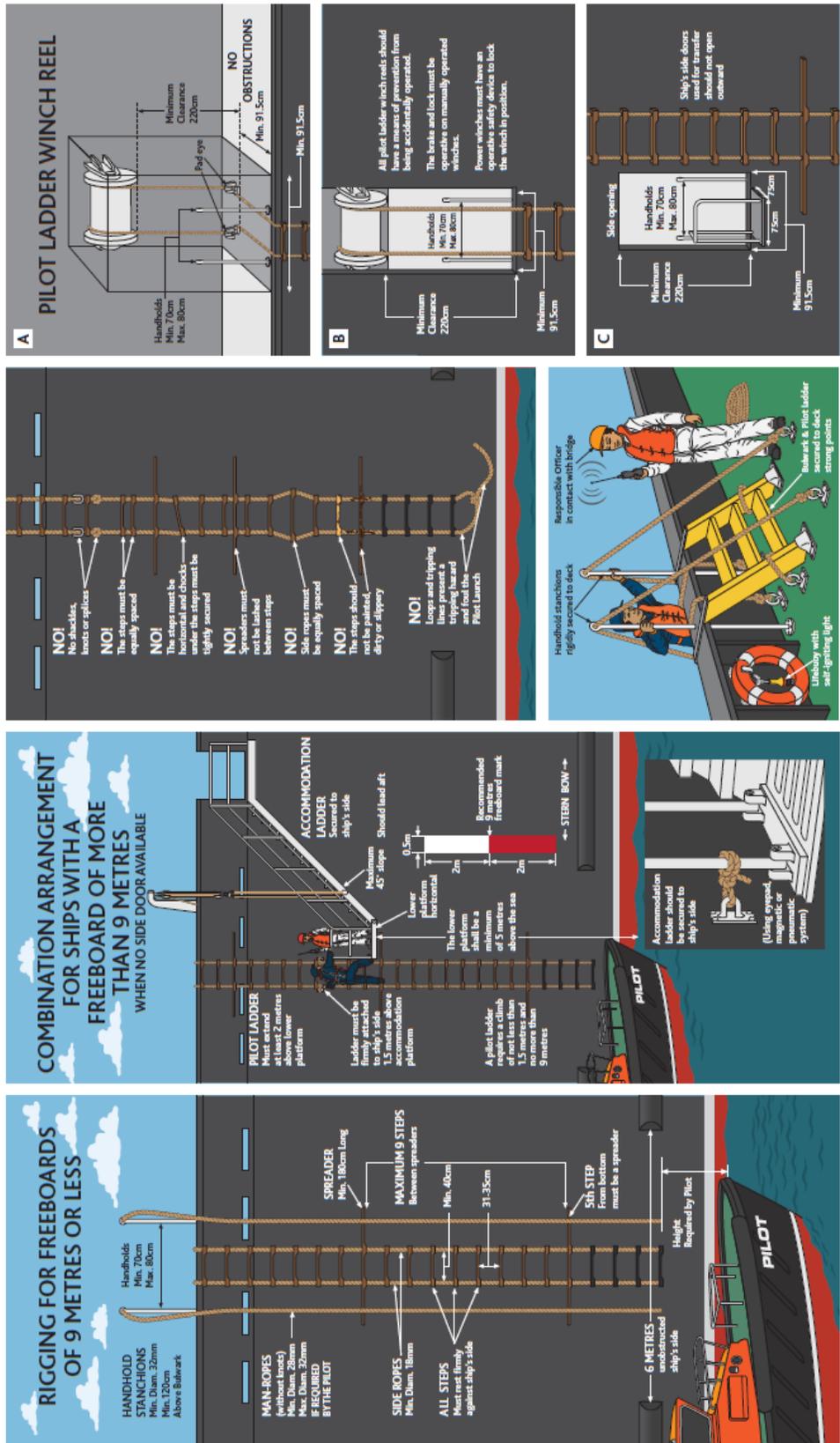
a. When side ports are used for embarking or disembarking, the minimum vertical distance between the surface of the water and the bottom of the side port, at any draft, shall be 1.80 meters (6 feet).

b. The minimum height of the side port shall be 2.2 meters (7.22 feet) and the width shall not be less than 0.92 meters (3 feet).

c. Side ports used to embark or disembark a vessel shall not open outwards.

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## **Section Five**

### **Construction, Number and Location of Chocks and Bitts for Vessels up to Panamax Size Transiting Gatun, Pedro Miguel and Miraflores Locks**

**Article 68:** The following requirements regarding construction, number, and location of the chocks and bitts shall be complied with:

1. A vessel transiting Gatun, Pedro Miguel and Miraflores Locks shall normally be assisted by locks locomotives using steel towing wires. At the discretion of the Authority, certain vessels of less than 38.10 meters (125 feet) in length, or tugs up to 45.72 meters (150 feet) in length, may be handled while transiting the locks with their own lines, either against the lock wall or from both walls in the center of the chamber.
2. All chocks for towing wires shall be of heavy closed construction and shall have a convex bearing surface with a radius of not less than 180 millimeters (7 inches). The convex surface shall extend so that a wire from the bitt, or from the towing locomotive through the chock, shall be tangent to the 180-millimeter (7 inch) radius at any angle up to 90 degrees with respect to a straight line through the chock.
3. No part of the vessel that may be contacted by the towing wires, at any angle, shall have a radius of less than a 180- millimeter (7 inch).
4. Chocks designated as single chocks shall have a throat opening of not less than 650 square centimeters (100 square inches). Preferred dimensions are 305 x 230 millimeters (12 x 9 inches). Each chock shall be capable of withstanding a SWL of 100,000 pounds (45,359.24 kilograms) on a towing wire from any direction.
5. Chocks designated as double chocks shall have a throat opening of not less than 900 square centimeters (140 square inches) in area; the preferred dimensions are 355 x 255 millimeters (14 x 10 inches). Each chock shall be capable of withstanding a SWL of 140,000 pounds (63,502.93 kilograms) on a towing wire from any direction.
6. Use of existing roller chocks is permissible, provided they are not less than 15 meters (49 feet) above the waterline at the vessel's maximum Panama Canal draft, and provided they are in good condition, meet all of the requirements specified above, as the case may be, and are so fitted that transition from the rollers to the chock body will prevent damage to towing wires.
7. Each single chock shall have an accompanying bitt capable of withstanding a SWL of 100,000 pounds (45359.24 kilograms).
8. Each double chock located at the stem and at the stern, in accordance with item 9 of this article shall have two (2) pairs of heavy bitts; each bitt of each pair shall be capable of withstanding a SWL of 100,000 pounds (45,359.24 kilograms). Other double chocks shall have a pair of heavy bitts with each bitt capable of withstanding a SWL of 100,000 pounds (45,359.24 kilograms).
9. All vessels, except a vessel not requiring locomotives, shall be fitted with a double chock set athwartships, right in the stem, and another double chock set athwartships, right in the stern, except

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that on vessels of less than 22.86 meters (75 feet) beam, each double chock required by this article may be substituted for two (2) single chocks. On vessels of over 22.86 meters (75 feet) beam, two (2) double chocks may be substituted for each double chock required by this article. If such substitution is made, the chocks shall be placed port and starboard, not more than 2.5 meters (8 feet) abaft the stem or 3 meters (10 feet) forward of the stern, provided that these chocks are not more than 3 meters (10 feet) from the center line of the vessel.

10. Vessels under 60.96 meters (200 feet) in length and having a beam of not more than 9.14 meters (30 feet) shall have a double chock or two (2) single chocks at the bow and at the stern. If the vessel is equipped with two (2) single chocks, they shall be placed on the port and starboard sides not more than 2.5 meters (8 feet) abaft the bow, or 3 meters (10 feet) forward of the stern, not more than 3 meters (10 feet) from the centerline.
11. Vessels between 60.96 and 121.92 meters (200 and 400 feet) in length, and not exceeding 22.86 meters (75 feet) in beam, shall have a double chock at the stem and stern, or two (2) single chocks at the bow and another two (2) at the stern on the port and starboard, not more than 2.5 meters (8 feet) abaft the stem or 3 meters (10 feet) forward of the stern, and not more than 3 meters (10 feet) from the centerline. They shall also have two (2) additional single chocks on the port and starboard sides at a distance of 9 to 16 meters (30 to 50 feet) abaft the bow, and two (2) additional single chocks at a distance of 9 to 16 meters (30 to 50 feet) forward of the stern.
12. Vessels between 121.92 and 173.74 meters (400 and 570 feet) in length, and having a beam of not more than 22.86 meters (75 feet), shall have a double chock at the bow and another at the stern, or two (2) single chocks at the bow and another two (2) at the stern on the port and starboard sides. They shall also have a double chock on the port and starboard sides, 12 to 16 meters (40 to 50 feet) abaft the bow; a single chock on the port and starboard sides, 24 to 28 meters (80 to 90 feet) abaft the stem; and a single chock on the port and starboard sides, 12 to 16 meters (40 to 50 feet) forward of the stern.
13. Vessels over 173.74 meters (570 feet) in length, or having a beam of 22.86 meters (75 feet) or over , shall have a double chock at the bow and another at the stern, on the port and starboard sides, 12 to 16 meters (40 to 50 feet) abaft the bow; a single chock on the port and starboard sides, 24 to 28 meters (80 to 90 feet) abaft the bow; one double chock on the port and starboard sides, 12 to 16 meters (40 to 50 feet) abaft of the stern; and one single chock on the port and starboard sides, 24 to 28 meters (80 to 90 feet) forward of the stern.
14. All vessels with a maximum beam of 27.74 meters (91 feet) or more, shall have, in addition to the double chock at the stern prescribed in the preceding paragraph, two (2) single chocks at the stern, one on each side of the center of the vessel, at equal distance and not less than 3 meters (10 feet) nor more than 6 meters (20 feet) from it.
15. Vessels with a flared bow extending sideways or having an unusually high freeboard, as is the case with container or vehicle carrier vessels, shall be required to provide single closed chocks located at a greater distance to the rear than is required in item 13 of this article, in order to enable correct positioning of assisting tugs, or may be required to fit recessed hull bits so that tugs can maneuver without coming into contact with the bow flare or having to use extra-long lines or inefficient positions.

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16. The recessed hull bits shall be installed not less than 3.7 meters (12 feet) nor more than 4.6 meters (15 feet) above the vessel's waterline. A vessel having an appreciable variation in draft may be required to install two (2) sets of recessed hull bits so that one bitt is located above the other. Similarly, the recessed hull bits shall be installed as far forward as possible on both port and starboard sides where the bow flare does not exceed 25 degrees as measured from the vertical line of the vessel's side. This position may require the chocks and bitts to be installed more than 24 to 28 meters (80 to 90 feet) abaft the bow than stipulated in item 12 of this article. This position will allow Authority tugboats to work safely under the bow flare without the mast or pilothouse coming into contact with the vessel's hull.
17. Vessels not requiring locomotives shall have a chock arrangement similar to that described in item 10 of this article, except that the chocks need only be single chocks or chocks of lesser strength, as approved by the Authority.
18. Any vessel which fails to meet the requirements of this article may be denied transit. If the Authority decides that the vessel can be handled without undue danger to equipment or personnel, notwithstanding the failure to comply with these requirements, the vessel may be allowed to transit in accordance with Article 71 of this Regulation.
19. All vessels placed in service after March 1, 1997 must comply with all the requirements of this article. All vessels placed in service before that date shall be granted a waiver for one round trip or one year, whichever comes first, from the date of the waiver is granted.

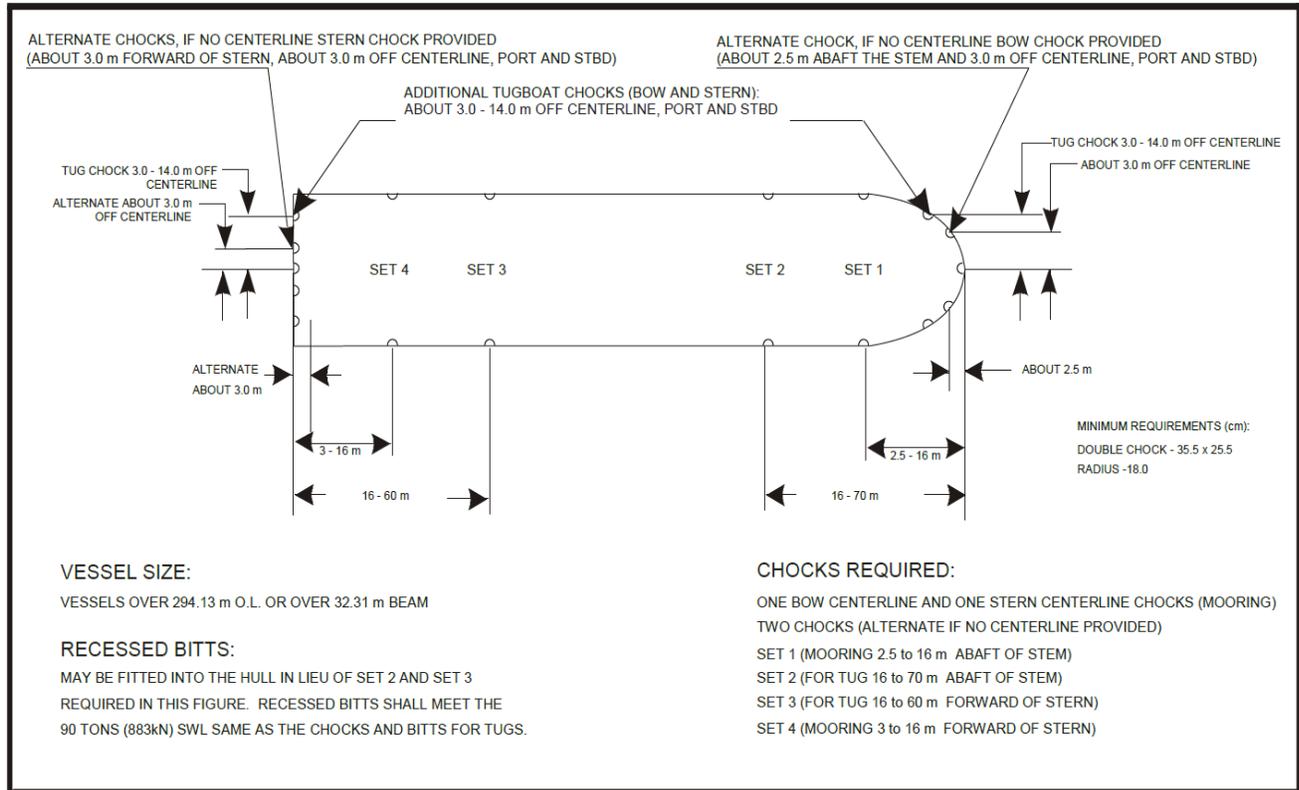
Vessels which prove to the satisfaction of the Authority that the work necessary to fit the chocks on the stern, as required by item 14 of this article, cannot be safely performed while at dockside, will be granted a waiver extending until the vessel's next dry-docking. Vessels with an Authority approved recessed bitt on the stern may, upon written request, be exempted from this requirement.

Any vessel failing to comply with the requirements of this article may be denied transit.

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### Chocks and bitts required for Panamax vessels:



### Section Six Construction, quantity and location of chocks and bitts for Panamax Extra and Neopanamax vessels

**Article 69:** Panamax vessels, which due to their draft become Panamax Extra and have to transit through the Agua Clara and Cocoli locks, must have bitts and chocks that comply with the same construction, quantity and location requirements as those applicable to Neopanamax vessels.

**Article 70:** Neopanamax vessels shall comply with the following requirements regarding construction, quantity and location of bitts and chocks:

1. Vessel chocks and bitts shall be used by Authority tugs, which shall act as a positioning system during the vessel's transit through the locks. Chocks and bitts shall also be used for mooring the vessel inside the lock chambers.
2. These vessels shall have double chocks at the bow and stern, on the port and starboard sides, not more than 2.5 meters (8 feet) from the bow or 3 meters (10 feet) from the stern, and not more than 3 meters (10 feet) from the centerline. In addition, these vessels shall have double chocks, on the port and starboard sides, 2.5 to 16 meters (8 to 50 feet) abaft the bow and 3 to 16 meters (10 to 50 feet) forward of the stern, GROUP1 and GROUP4, respectively.

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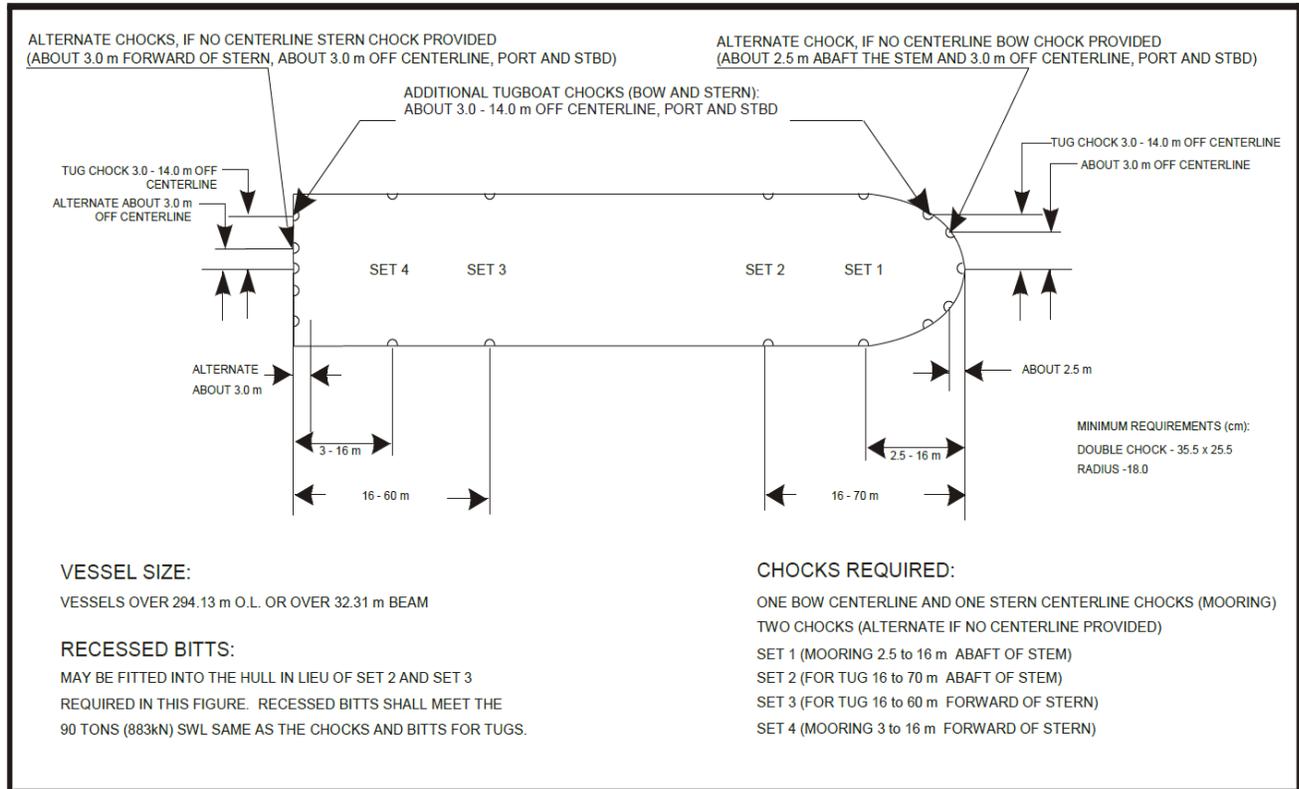
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3. All chocks shall be double and have a throat opening of not less than 900 square centimeters (preferred dimensions 355 mm x 255 mm) and shall be capable of withstanding a SWL of 90 tons (883 kN) during towing operations and a minimum SWL of 64 tons (628 kN) during mooring operations from any direction.
4. The vessel shall be equipped with additional chocks for tugboats at the bow and stern, located 3 to 14 meters (10 to 45 feet) off the centerline on the port and starboard sides. Each of these double chocks shall have a pair of heavy bitts with a preferred diameter of 500 mm, and each bitt shall be capable of withstanding the stress produced by a SWL of 90 tons (883 kN). Each GROUP2 and GROUP3 chock shall also require a pair of heavy bitts capable of withstanding a SWL of 90 tons (883 kN) each. The chocks to be used in mooring operations shall each be accompanied by a pair of bitts with a SWL of 64 tons (628 kN).
5. Vessels with large flared bows extending to the sides or with unusually high freeboard, as is the case with LNG carriers, container vessels, passenger vessels or vehicle carriers, shall have single closed chocks located further aft, respectively, than is required for GROUP2 and GROUP3, so that tugboats can be properly secured. These vessels may be required to fit recessed hull bitts so that the tugboats can maneuver without coming into contact with the bow flare or having to use extra-long lines or inefficient leads. Recessed hull bitts shall comply with a SWL of 90 tons (883 kN).
6. The use of already installed roller chocks shall be evaluated for approval, on a case-by-case basis, provided that they are located not less than 16.24 meters (53.28 feet) above the water at the maximum authorized Canal transit draft assigned to the vessel, are in good condition, meet all the requirements specified in the above paragraphs, as applicable, and are positioned so that the transition from the rollers to the chock body avoids damage to the mooring ropes. The equivalence of the proposed chocks shall be subject to review and approval by the Authority.
7. Recessed hull bitts shall be installed not less than 3.7 meters (12 feet) nor more than 4.6 meters (15 feet) above the vessel's waterline. A vessel having an appreciable variation in draft may be required to install two (2) sets of recessed hull bitts so that one bitt is located over the other bitt. Similarly, the recessed hull bitts are to be installed as far forward as possible on both port and starboard sides where the bow flare does not exceed 25 degrees as measured from the vertical line of the vessel's side. This position will allow Authority tugboats to work safely under the bow flare without the tugboat's mast or pilothouse coming into contact with the vessel's hull.
8. Any vessel failing to comply with the requirements of this article may be denied transit.

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### Chocks and bitts for Neopanamax vessels:



**Article 71:** If a vessel fails to comply with some of the requirements established in Articles 65, 66, and 67, as applicable, and the Authority determines that, in spite of this, the vessel can be handled without undue danger to equipment or personnel, the Authority may allow the vessel to transit, after the master signs a release of liability form in accordance with Article 4 of this Regulation.

In the event of any loss or damage caused by such non-compliance, the Authority shall be indemnified in accordance with Article 4 of this Regulation.

### Section Seven Navigation Bridge Requirements

**Article 72:** Vessels navigating in Canal waters must comply with the navigation bridge structures, equipment and conditions, as specified below:

1. **Navigation bridge windows:** must be:
  - a. Of sufficient size and number to provide a clear view.
  - b. Of clear safety glass. Tinted windows shall not affect visibility.
  - c. Arranged in a manner that includes a central window.

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d. Equipped with mechanically operated wiper blades at normal conning positions as described in item 3.

**2. Bridge wings:** Shall extend to the maximum beam of the vessel, and provide clear, unobstructed passage along their forward portions from the wheelhouse doors to the extreme ends of the wings. If it is impossible to extend the bridge wings across the width of the vessel, they shall be extended as far as possible and folding or portable platforms shall be provided, as follows:

a. Extending to the maximum beam of the vessel.

b. That have been constructed of adequate size, strength and rigidity to support at least two (2) adult persons.

c. That are equipped with safety handrails, and a toe board around the deck of a minimum of 10.16 centimeters (4 inches) high.

d. That they are safe, are covered and maintained in good condition.

**3. Normal conning positions** (see visibility diagram):

a. Conning position No. 1 is located directly behind and close to the forward center wheelhouse window.

b. Conning position No. 2 is located to port of conning position No. 1, directly behind and close to the nearest window thereto, so that it provides unobstructed view forward.

c. Conning position No. 3 is located to starboard of conning position No. 1, directly behind and close to the nearest window thereto, so that it provides an unobstructed view forward.

d. Conning position No. 4 is located at the end of the port bridge wing, and should provide a clear, unobstructed view forward and aft of the vessel's port side.

e. Conning position No. 5 is located at the end of the starboard bridge wing, and should provide a clear, unobstructed view forward and aft of the vessel's starboard side.

**4. Minimum visibility requirements from the bridge for laden or ballast vessels:**

a. The surface of the water shall be visible from the navigation bridge conning positions 1, 2 and 3 at a distance forward of two (2) ship lengths, or 500 meters, whichever is less, under any condition of draft or forward trim of the bow, at 10 degrees to each side of the line of sight, parallel to the centerline (see illustration).

b. If the visibility from conning positions 1, 2 and 3 is obstructed by cargo or other objects or structures forward of the beam, the total arc of obstructed visibility shall not exceed 10 degrees.

c. The sides of the vessel, fore and aft, shall be visible from the bridge wing conning positions.

d. If the Authority considers the visibility forward or aft to be unsafe, the vessel may have restrictions imposed that may require the use of tugs, or result in delays or denial of transit.

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e. A vessel of 45.72 meters (150 feet) or less in length shall have a visibility from any conning position that allows the sailing ranges to be visible.

**5. Indicators in the bridge:** A vessel over 45.72 meters (150 feet) in length shall be equipped with rudder angle and propeller revolutions indicators, in good working and lighting condition, located in the wheelhouse and bridge wings as follows:

a. Rudder angle indicators:

a.1 Vessels with a beam of less than 24.38 meters (80 feet) shall have at least one indicator of such design that it can be easily read by day or night from all normal conning positions and from the steering station.

a.2 Vessels with a beam of 24.38 meters (80 feet) or more shall have at least one indicator inside the navigation bridge and one (1) on each bridge wing, of such design and placement that at least one (1) can be easily read by day or night from each conning position and from the steering station.

a.3 These indicators must show clearly and accurately in degrees the position and direction of the rudder or rudders.

b. Propeller revolution tachometers or variable-pitch propeller indicators:

b.1 Vessels with a beam of less than 24.38 meters (80 feet) shall have at least one indicator for each propeller, of such design that it can be easily read by day or night from all normal conning positions.

b.2 Vessels with a beam of 24.38 meters (80 feet) or more shall have at least one (1) indicator for each propeller located in the navigation bridge and one (1) for each propeller located in each bridge wing, of such design and placement that at least one (1) can be easily read by day or night from each conning position.

b.3 The indicators must show clear readings of the revolutions per minute and indicate the direction of the propeller or propellers.

b.4 All vessels with variable-pitch control indicators for the propeller or propellers shall have them located as required in items b.1 and b.2.

**6. Engine Order Transmission System:** All vessels shall have a system for transmitting engine orders between the navigation bridge and the engine room in good working order. Failure to comply with the above shall result in transit delay.

**7. Bow and Stern Thrusters:** Vessels equipped with bow/stern thrusters shall have controls inside the wheelhouse, as well as at the extreme ends of the bridge wings.

**8. Whistle controls:** The vessel shall be provided with these as follows:

a. Have a whistle control in the navigation bridge that is accessible from conning positions 2 and 3, as described in item 3.

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b. If the beam is more than 15 meters (49.2 feet), the whistle shall have additional controls at the end of the bridge wings at conning positions 4 and 5.

c. Controls shall make it possible to regulate any whistle signal (see Rules 28 and 29, Article 114 of these Regulations).

**9. Magnetic compass and gyrocompass**

a. Power-driven vessels navigating in Canal waters must be fitted with a magnetic compass, placed and illuminated in such a way that it is readily visible to the pilot, day or night.

b. Vessels equipped with a gyrocompass shall have properly operating repeaters, positioned and illuminated in such a way as to be readily visible to the pilot by day or by night.

**10. Very High Frequency (VHF) Radio:** Power-driven vessels of 300 gross tonnage or over, power-driven vessels of 100 gross tonnage or over engaged in commercial passenger transportation, and all commercial towing vessels of 7.92 meters (26 feet) in length or over, shall be equipped with at least one very high frequency (VHF) transceiver as follows:

a. The transceiver shall be operable from the navigation bridge.

b. It shall be equipped with international channels 12 (156.99 MHz), 13 (156.650 MHz) and 16 (156.800 MHz).

**11. Steering Light:**

a. All vessels over 100 meters (328 feet) in length shall have a blue steering light installed at the stem of the vessel, preferably on the fore mast, clearly visible from the bridge along the centerline. If in the above position this steering light is partly or completely obstructed, two (2) steering lights shall be installed, one on each side and at an equal distance from the centerline, clearly visible along lines parallel to it.

b. Vessels of war exempted from the requirements of 72 COLREGS shall also be exempted from the requirements of the steering light.

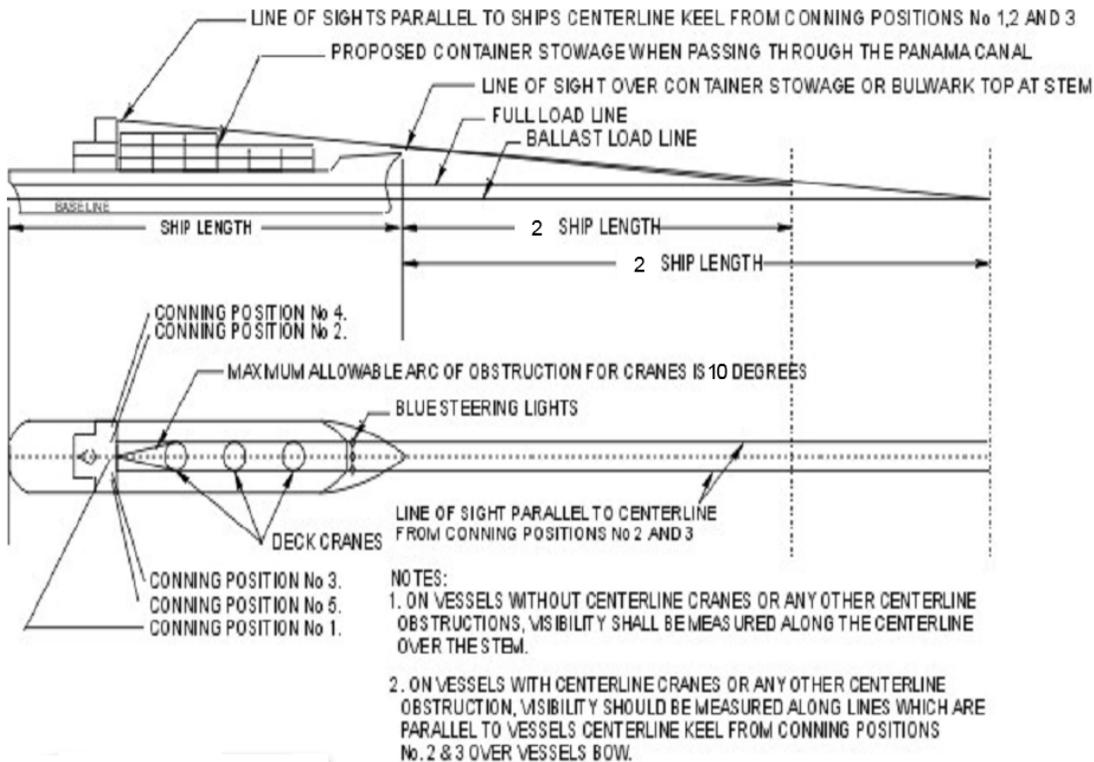
c. The steering light shall be capable of being controlled from the navigation bridge, the forecandle deck, or both.

d. The use of the steering light shall be at the discretion of the pilot.

e. Vessels must have a connection plug in the bridge, near conning position 1, to enable connection to the Automatic Identification System (AIS).

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**Article 73:** Vessels which do not comply with the requirements referred to in article 72 of these Regulations may be denied transit until this deficiency is remedied. However, at the discretion of the Authority, a vessel may be allowed transit subject to the provisions of article 4 of this Regulation, with additional measures that may be applied.

**Article 74:** The Authority may require the installation of pilot shelter platforms depending on the design and dimensions of the vessel, and the location of its navigation bridge, as follows:

1. Vessels with an beam of 24.38 meters (80 feet) or more shall have shelter platforms on the bridge wings to protect the pilots in command. Other types of solutions, including portable shelters, which provide a similar or higher level of protection and visibility, shall be acceptable.
2. When the Authority determines that a vessel with a beam of 30.48 meters (100 feet) or more, and a length of 274.32 meters (900 feet) or more, is required to have shelter platforms installed, they shall be placed as follows:
  - a. On vessels with the bridge at the extreme afterpart, shelter platforms shall be located forward.
  - b. On vessels with the bridge at the extreme forepart, shelter platforms shall be located aft.
  - c. They may also be required on certain smaller vessels, when the Authority so determines.
  - d. Each shelter platform shall be constructed above the furthest forward point on the extreme beam at the waterline, and not more than 15 centimeters (6 inches) from the vertical plane of the shell plating. For

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vessels with a bridge at the bow, which requires the construction of stern shelter platforms, they shall be constructed above the point of the extreme beam on the waterline nearest the stern, and not more than 15 centimeters (6 inches) from the vertical plane of the shell plating.

3. The shelter platforms required by this article shall comply with the following:

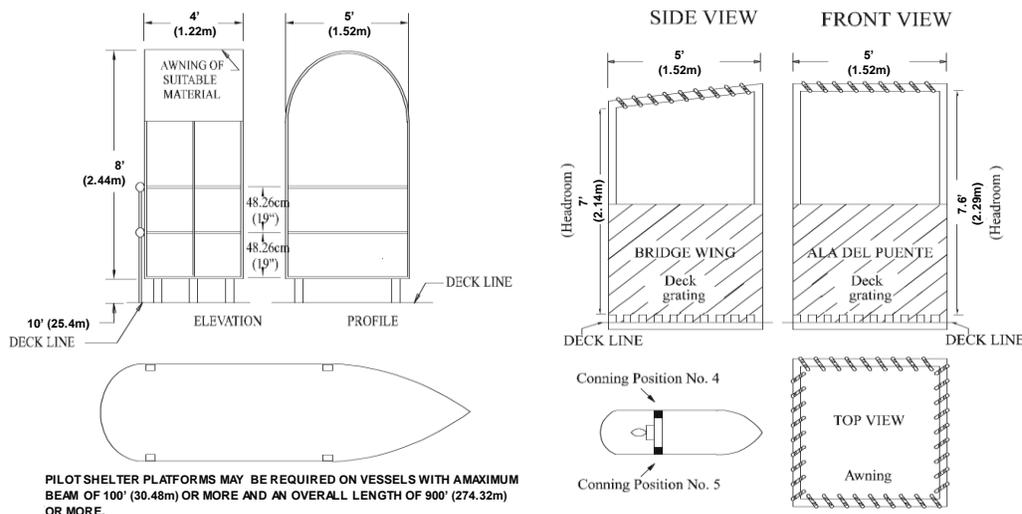
a. The awning indicated in the sketches in this article shall be made of a suitable material that provides shelter from sun and rain, and shall be rigged to avoid spilling of water inside the framework of the shelter when it rains. The shelter platforms shall allow maximum possible visibility.

b. The deck of the shelter platform shall be made of wood or other non-slip material capable of remaining dry at all times.

c. When the conning station at the end of the bridge wing is above deck level, the height of the awning shall be increased accordingly, to maintain the required clearance height.

d. Awnings shall extend at least 1.5 meters (5 feet) inward from the outer edge of the bridge wing. Similarly, they shall measure no less than 1.5 meters (5 feet) from bow to stern, and extend aft from the front of the bridge wing.

e. If the vessel's control equipment (engine, rudder, thrusters, etc.) is located on the bridge wings, these shelter platforms must extend at least 30 centimeters (1 foot) beyond the equipment, but not beyond the outboard edge of the bridge wing.



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## **Section Eight Vessel Maneuvering Characteristics**

**Article 75:** Vessels of 1,600 gross tons or more shall have the maneuvering information displayed in a visible place in the navigation bridge. This vessel maneuvering information, which must contain a data sheet, shall be based on:

**1. Conditions:**

- a. Calm weather: wind of 10 knots or less and calm sea,
- b. No current,
- c. Deep water conditions: when the water depth is twice the draft of the vessel or more, and
- d. Clean hull.

**2. Sources:**

The information that appears on the fact sheet shall be obtained from:

- a. Trial trip observations.
- b. Model tests
- c. Analytical calculations.
- d. Simulations.
- e. Information generated by another vessel with similar power, rudder, propeller, and hull shape, or
- f. Any combination of the above. The accuracy of the information contained in the fact sheets shall be that obtained using standard shipboard navigational equipment.

**3. Contents:**

- a. For full and half speed, the turning circle diagram to port and starboard showing the time and distance of advance and transfer required to alter the course by 90 degrees, with maximum angle of the rudder, or steering device, to the respective side and at constant speed.
- b. The time and distance required to stop the vessel from full and half speed, maintaining the approximate initial heading with minimum use of the rudder or steering device.
- c. Vessels with a fixed propeller shall have a table of shaft revolutions per minute for a representative range of speeds.
- d. Vessels with a controllable-pitch propeller shall have a table of control settings for a representative range of speeds.
- e. Vessels equipped with auxiliary devices to assist in maneuvering, such as bow thrusters, shall have a table indicating the vessel speeds at which the maneuvering capabilities of the auxiliary device are effective.

**4. Inspection and Control:**

The information on the fact sheet shall be:

- a. Verified six months after the vessel is placed into service, and
- b. If, as a result of this verification, the information requires modification, it will be verified within three (3) months of the modification.

Tankers shall submit maneuvering information for normal loading and normal ballast conditions.

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All other vessels shall, in addition to the submission of maneuvering information as required by this article, include information relevant to normal loading and normal ballast for any specific loading condition.

### **Section Nine Engine Controls and Recording of Orders to the Engine Room**

**Article 76:** The maximum response time for starting the engine from stopped, ahead or astern, for vessels maneuvering in Canal waters, shall not exceed 10 seconds. The above is without prejudice that the propulsion is controlled from the navigation bridge, engine control room, or emergency console.

On a vessel whose propulsion uses a starting program configured to activate itself in slow-running mode before starting, the chief engineer shall take steps to prevent the activation of this mode during transit through the Canal. The master shall notify the pilot of the procedure for compliance with this requirement.

Vessels that fail to comply with this requirement may be denied transit.

**Article 77:** Power-driven vessels over 76 meters (250 feet) in length that navigate in Canal waters under the control of a Canal pilot, shall have a system to record the orders sent to the engine room, and another system to record the orders received in the engine room, as follows:

a. **Bridge Bell Book:** Log containing a chronological record of each order sent to the engine room, along with the time of transmission, in which each order must be noted at the time it is sent and the time of its execution. This requirement may be met by means of automatic equipment that makes a permanent, unalterable, and legible record of each order transmitted from the bridge.

b. **Engine Room Bell Book:** Log containing a chronological record of orders received in the engine room, along with the time of receipt, in which each order must be noted at the time it is received.

**Article 78:** If the vessel is equipped with navigation equipment that produces automatic recordings, such as course, speed, depth, or rudder angle recorders, these must be in working order during transit.

**Article 79:** In the event of an accident, the bell books and automatic records mentioned in article 77 of this Regulation shall be submitted to the Authority to be copied and inspected.

### **Section Ten Provision of meals**

**Article 80:** Vessels shall furnish meals at their own expense to the pilots and transit advisors assigned to their transit who are on board during regular mealtimes. Vessels shall also provide meals to pilots transiting the vessel from 2200 hours to 0400 hours.

In such cases where the vessel does not comply with the above paragraph, or it has been determined that the vessel is not in proper sanitary condition, or that the vessel comes from countries or ports where an

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epidemic has broken out or has personnel on board with contagious diseases, the Authority shall comply with this obligation at the vessel's expense.

### **Section Eleven Sanitary Facilities**

**Article 81:** Vessels must have adequate sanitary facilities, of a western style with seating, for the use of pilots, as well as for the Authority's deck personnel. For the latter, sanitary facilities must be located on the deck or near their work area.

In the event that no sanitary facilities are available near the work area of Authority deck personnel, or that such facilities are not in adequate sanitary condition, a vessel shall make the necessary arrangements to provide similar facilities in good condition.

Failure by a vessel to comply with this requirement may result in that the period of time that Authority personnel remains on board is shortened, and that the vessel is affected with delays and associated costs.

### **Section Twelve Disabling of Engines**

**Article 82:** No vessel at any Authority dock, anchorage, or mooring station may have its engines disabled or dismantled, except with the express authorization of the Authority.

### **Section Thirteen Emission of Sparks, Smoke or Harmful Gases**

**Article 83:** A vessel in Canal waters shall take the necessary precautions to avoid the emission of sparks, excessive smoke, or harmful gases. In case of failure to comply with this requirement, the vessel may be moored or anchored until the situation is under control. The above is without prejudice to the vessel's liability for any damage that may be caused.

### **Section Fourteen Deck Load Cargo**

**Article 84:** Everything that is transported on deck shall be kept safely stowed, preventing shifting or displacement, and sufficiently clear to allow free movement of personnel through the work areas, as follows:

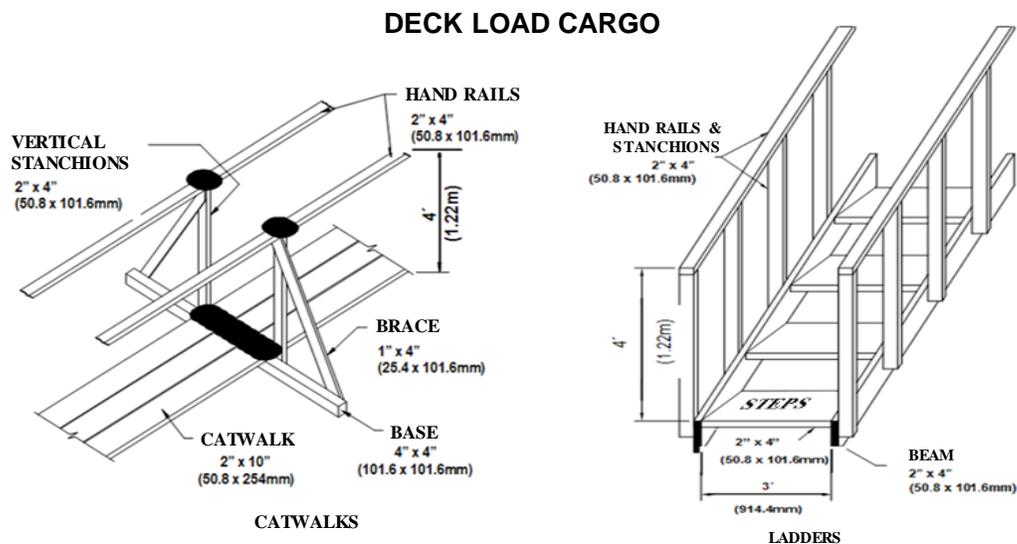
1. General cargo, timber or other goods shall be stowed in such a way that there is enough space to work safely around all chocks, bitts and other equipment used for the transit, so as not to obstruct direct passage from the chocks to the bitts.
2. Where access to workspaces involves walking over cargo, timber or other goods on deck, a catwalk must be fitted, unless a continuous unobstructed surface has already been provided. Where catwalks are required, they shall be not less than 0.90 meters (3 feet) wide and provided with adequate handrails. When the deck cargo is sufficiently levelled to accommodate a gangway without the catwalk, handrails or

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safety lines with stanchions shall be provided on each side of the cargo no more than 30 centimeters (12 inches) apart, and to a height of less than 1.20 meters (4 feet) above the cargo.

3. If access to the deck adjacent to the cargo is permitted, a level continuous crossing at least 0.90 meters (3 feet) wide shall be provided. This access shall be free of obstacles that are deemed hazardous to normal passage.
4. Where personnel are required to cross over the deck cargo, suitable ladders shall be provided to ensure safe access between the deck and the top of the cargo. Such ladders shall be provided with handrails or safety lines as described for catwalks.
5. An adequate bulwark or rail shall be provided between the deck cargo and the sides of the vessel.
6. All sharp edges and projections adjacent to normal access shall be adequately protected to prevent injury to personnel.
7. Vessels shall provide sufficient lighting to illuminate deck accesses and workspaces during hours of darkness.



**Notes:**

1. Sketches show acceptable and easily constructed catwalks and ladders to provide safe access to work areas on ships carrying deck load cargo.
2. Dimensions may vary, provided basic safety requirements are maintained and construction is approved by the PCA.
3. All passageway shall be free of obstacles or hazards for the users.

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**Article 85:** A vessel with deck cargo protruding over one side may transit at its own risk, subject to additional charges, if it complies with the provisions of article 4 of these Regulations.

### **Section Fifteen**

#### **Transport of Containers on Deck on Vessels not Purpose-Built for Container Carriage**

**Article 86:** Vessels shall provide the following information:

1. The location of deck-loaded containers by hatch or tank.
2. The number of containers stowed one (1) abeam of the other, both fore and aft.
3. The height of the stowage.
4. Whether the containers are oriented athwartships or longitudinally.
5. Any other information required by the Authority.

**Article 87:** Vessels shall be inspected by the Authority to determine whether they are permitted to transit and under what conditions. If transit is permitted, vessels must sign a release of liability form in case of failure to comply with the visibility requirements.

Vessels regularly transiting under the conditions indicated in the previous paragraph shall be informed of any limitations on the quantity and height of container stowage to meet the requirements of this section.

### **Section Sixteen**

#### **Non-Self Propelled Vessels**

**Article 88:** Non self-propelled vessels or barges that are not an Integrated Tug-Barge unit shall require special authorization by the Authority to transit, and shall comply with the following requirements:

1. Their length, width and draft shall be limited to the provisions of the First and Second Sections of Chapter IV of these Regulations. The Authority may limit the draft of barges to achieve an acceptable level of safety.
2. Upon arrival in Canal waters, the bow tugboat shall disengage the tow and secure the bridle so that none of its parts extend below the surface of the water.
3. Have the required equipment for anchoring or mooring.
4. Be inspected by the Authority before being scheduled for transit. If the inspection reveals that the barge, tug, or equipment on board both needs to be installed, adjusted, or repaired, or that stowage modifications are required prior to transit, this shall be the responsibility of its agent, operator, or owner. If deficiencies are found during the inspection, transit will not be scheduled until the Authority has verified that these have been corrected.
5. Have boarding facilities in accordance with the International Convention for the Safety of Life at Sea, 1974/78, and any amendments thereto (SOLAS).
6. Provide free, unobstructed passage from the boarding site to all work areas. Otherwise, catwalks with handrails and steps must be provided.

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7. Work areas near chocks and bitts must be unobstructed and equipped with handrails or lines at the vessel's sides.
  8. Have a pilot shelter installed on the centerline, approximately midway between the bow and stern, with a clear view forward, which shall protect the pilot from the elements. On tows with a beam of more than 24.39 meters (80 feet), in addition to the centerline shelter, shelters shall be installed at the extreme beams, from which the sides of the vessel or barge are readily visible.
  9. Be equipped with the chocks and bitts set forth in article 68 of this Regulation.
  10. Provide mooring lines, heaving lines, and mooring bitts or cleats for securing tugs, so that they do not interfere with the chocks and bitts required for locomotive cables in the locks that require them.
  11. Be equipped so that the pusher tug can be secured with its stem held firmly against the barge's centerline. Barges shall not be allowed to transit when they are pushed from the stern by a tug that does not have good visibility forward, either assembled in a notch or from a blind spot. Transit of this barge shall only be permitted if it is towed with a bridle from the bow, using an additional tug at the stern to help maintain control of the barge.
- The Authority shall decide, on a case-by-case basis, whether or not a commercial tug may be used to assist in the transit of a barge under the conditions set forth in the preceding paragraph.
12. Have sufficient crew to safely handle mooring lines and ropes, towlines, and boarding facilities. While the tow is underway, the anchors shall be manned and ready to be dropped in case of emergency.
  13. Have portable toilets on board that are, in the Authority's opinion, in adequate condition.

Agents, operators, or owners shall notify the Authority of the intention to transit a barge under the conditions referred to in this article no later than ninety-six (96) hours prior to the estimated time of arrival in Canal waters, in order to coordinate its inspection.

**Article 89:** A non-self-propelled vessel or barge being towed as part of a Integrated Tug-Barge unit, as defined in these Regulations, may be scheduled for transit as normal vessels when the bridge wings of the tug extend to the extreme beam of the tow, and they comply with the requirements for transit, as well as with the requirements listed in the previous article.

### **Section Seventeen Transit Equipment**

**Article 90:** Vessels shall have the necessary equipment ready before beginning its transit, as follows:

1. Mooring lines and cables to be used for transit through the locks, towing or mooring, as applicable, in compliance with Authority requirements for the type of vessel, and both anchors ready for dropping. The master shall verify that the engines, steering system, engine room telegraphs, whistle, radar, rudder angle and engine revolution indicators, anchors, and any other navigation equipment, as well as winches, capstans, and other hydraulic equipment for handling vessel lines or cables, and locomotive cables, are functioning properly.

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2. The equipment referred to in item 1 above, as well as chocks, bitts, cleats, fairleads, or other gear, shall be kept available at all times for the vessel's maneuvers in Canal waters, to the exclusion of any other use.

### **Section Eighteen Flags and Pennants**

**Article 91:** Vessels navigating in Canal waters shall display flags and pennants in accordance with the following:

1. When a vessel is assigned a pilot to transit, it is also assigned a schedule number and an estimated time of arrival at the locks. The vessel shall display the signal flag or flags with the assigned schedule number, which shall be its identification while in transit.
2. Odd numbers will be assigned to northbound vessels and even numbers to southbound vessels.
3. Vessels with an Authority pilot on board shall display the "H" (Hotel) signal flag below the schedule number for northbound transits, and above the schedule number for southbound transits.

In addition, vessels may display the following signal flags, as appropriate:

1. "Z" (Zulu) flag: for preference vessels, which shall also display a blue light at night.
2. "B" (Bravo) flag: for vessels carrying flammable substances or explosives, which shall also display a red light at night.
3. "T" (Tango) flag: for vessels carrying toxic or radioactive materials, which shall also display a red light at night.
4. "X" (X-Ray) flag: When two (2) vessels are dispatched in tandem on the same schedule, the leading vessel shall display the assigned transit number, while the second vessel shall display, in addition to the assigned transit number, the X flag and shall be designated as "extra".
5. "A" (Alpha) flag: Vessels whose transit is interrupted because they have been moored at mooring stations or anchored in Gatun Lake, and are scheduled to continue the following day, shall be identified by the A flag below the transit number.

### **Section Nineteen Small craft**

**Article 92:** For purposes of this article, small craft up to 20 meters (65 feet) in length that navigate in Canal waters, but do not transit, shall be operated by a person 18 years of age or older who holds a Small Craft Operator Certificate issued by the Authority and shall be subject to the following:

#### **1. Small Craft Operator Certificate:**

Certificate issued by the Authority's Board of Inspectors after applicants have passed an exam provided by the Board. Applicants shall purchase, at their expense, a copy of the Small Craft Operator's Manual, which shall be kept on board the vessel at all times.

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**2. Operator Restrictions:**

No operator may operate a small craft if:

- a. They are under the influence of alcohol or any other narcotic drug, or
- b. They are not in full possession of their mental faculties due to the effects of any drug, even if it is legal. The latter shall not constitute a defense to the charge of violating this rule.

**3. Communications:**

Prior to any movement in Canal waters, all small craft must notify the Authority's Signal Stations (Flamenco Island in the Pacific and Cristobal in the Atlantic), in order to receive the appropriate instructions, and maintain watch on channel 12 VHF (156.000 MHz) at all times to receive any further instructions.

**4. Security:**

No small craft shall be operated at a distance from vessels in transit or any other craft, nor shall it be operated at a speed, which might endanger their safety, the property of others or put lives at risk. The violation of this rule is considered a serious offence against the safety of navigation and will result in the cancellation of the Small Craft Operator Certificate.

**5. Surveillance:**

The Authority shall coordinate with government security agencies in areas of compatibility with the operation of the Canal, in order to ensure the protection of Canal operations and prevent non-compliance with its regulations or illegal activities.

**6. Sanctions:**

The operator and the owner of the small craft shall be jointly liable for failure to comply with the provisions of this article. Failure to comply with the provisions of this article shall be sanctioned in accordance with the provisions of chapter XI of these Regulations.

**Article 93:** Small craft that intend to transit shall be under the direction of the Authority and subject to the following:

1. Prior to their arrival, they should contact the Flamenco Island or Cristobal Signal Station, as appropriate, for instructions.
2. The signal station shall be responsible for coordinating the movements of small craft to avoid incidents with vessels in transit and shall notify them of any restrictions on their movements.
3. Only when they receive authorization from the signal station on channel 12 VHF (156.600 MHz), may they enter the navigation channel to go to the designated anchorage or mooring.
4. Small craft that intend to transit and have made arrangements through their agents shall be inspected by the Authority upon arrival in Canal waters.
5. In the absence of an authorized shipping agent, the operator must make arrangements for admeasurement and transit, pay the required tolls, and obtain information from the Authority on relevant procedures and requirements.

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6. If the small craft is operated from an open cabin, and if its structure permits, a temporary awning made of canvas or similar material must be installed prior to transit to protect the pilot, transit advisor, and crew from inclement weather during transit, and adequate sanitary facilities must be provided on board. Failure to comply with the above may result in transit delays and additional charges.

7. Transiting small craft shall have an anchor, adequate fenders, and at least four (4) mooring lines not less than 38.1 meters (125 feet) in length capable of withstanding the weight of the craft under stress, and shall have an operator and adequate crew to operate them. These small craft shall have the equipment to be tied to the lock wall or maintained in the center of the chamber.

8. Small craft performing manual lockages shall be scheduled to transit during daylight hours, unless authorized for nighttime transit by the Authority.

9. Local, commercial, and official small craft may be scheduled for daytime and nighttime transits at the discretion of the Authority.

**Article 94:** Small craft intending to transit shall not pass beyond the Bridge of the Americas in a northerly direction, nor beyond buoys 5 and 6 in Limon Bay in a southerly direction, if they do not have a pilot or a transit advisor on board.

Similarly, the Authority may also establish other areas where small craft are prohibited from navigating in Canal waters without a pilot or a transit advisor on board.

**Article 95:** Small craft may transit any day of the week as permitted by the safety of the operation and availability of Authority personnel.

**Article 96:** The Authority shall deny transit to small craft that cannot maintain a minimum speed of 5 knots. However, they may, at their expense, make arrangements to be towed by another vessel capable of maintaining such speed, or by an Authority motorboat.

**Article 97:** Small craft may not navigate in the Culebra Cut or in the access channels to Cocoli and Agua Clara locks, unless they are transiting with a pilot or a transit advisor on board.

## **Chapter V Pilotage**

### **Section One Compulsory Pilotage**

**Article 98:** Pilotage is compulsory in Canal waters. The Authority shall determine the number of pilots assigned to each vessel navigating in Canal waters, including the port facilities that are in its waters, except in the cases indicated in this chapter.

The compulsory pilotage area goes from the line that goes from the Cristobal Mole at the Atlantic entrance to the Canal with a 270° true west direction that passes through Lighted Beacon 1 (Mole) and Lighted Buoy 2 (9 ° 20 '21 "N), to the line that passes through Buoys 1 and 2 at the Pacific entrance to the Canal and extends from the Lighted Buoy X to the San Jose Rock, east of the channel.

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**Article 99:** The Canal pilot assigned to a vessel shall have control of the navigation and movement of the vessel. Nevertheless, the crew will be responsible for administrating the vessel and practicing good seamanship, as well as for the correct and timely transmission and execution of the orders given by the pilot.

**Article 100:** Small craft of more than 20 meters (65 feet) shall require a pilot.

**Article 101:** The pilot shall board or disembark from the assigned vessel within the breakwater north of the Mole Beacon, at the Atlantic entrance, and in the anchorage to seaward of buoys 1 and 2, at the Pacific entrance.

**Article 102:** The authorized shipping agent or the master of a vessel arriving from the Atlantic may request that the Canal pilot assigned to his vessel boards the vessel north of the breakwater.

The Authority may approve the aforementioned service when it considers it safe, and the vessel will assume the corresponding costs to said request, which must be directed through the Cristobal Signal Station.

**Article 103:** The Authority may suspend the rule on compulsory pilotage whenever there is a critical shortage of certified pilots, establishing the necessary conditions for each vessel, aimed at the protection of human life, the environment, and the property and facilities of the Authority.

**Article 104:** The cost of the pilotage service provided to vessels in transit, according to the requirements established by the Authority, is included in the tolls. Should a vessel require additional pilots for transiting the Canal or for other reasons, such as pilotage to or from port facilities in Canal waters, it shall assume the corresponding charges.

## **Section Two Exemptions from Compulsory Pilotage**

**Article 105:** The Authority shall determine the categories of vessels up to 69 meters (225 feet) and of small craft that may be exempted from compulsory pilotage in the following areas within Canal waters:

1. The navigation channels to access the ports.
2. Ports and port basins.
3. The navigation channels to access the sea entrances of the Cocolí, Agua Clara, Miraflores and Gatún locks.
4. Outside the Canal channels and anchorages.

Likewise, the Authority may continue to grant pilotage exemption to the categories of vessels and small craft to which this exemption has previously been granted.

Authority vessels, tugboats and other floating equipment shall be exempt from compulsory pilotage.

**Article 106:** Vessels or small craft exempt from pilotage, when navigating Canal waters, must comply with the following operating requirements and conditions:

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1. **Licensed master duly certified by the Authority:** The masters must possess a license for these vessels issued by the respective authorities of the Republic of Panama and a certification issued by the Board of Inspectors of the Panama Canal Authority that certifies that they are trained to operate the vessel or small craft exempt from pilotage. This certification will have the same validity as the license mentioned in this paragraph and shall be renewed, if requested, one month prior to its expiration, and must be kept on board to be presented upon request.
2. **Permission to move:** Vessels must obtain permission from the Authority prior to any movement in or out of the harbor, including arrival or departure, or when shifting berths. They shall follow instructions and maintain a watch on VHF channel 12 (156.000 MHz) to receive any further instructions while maneuvering.
3. **Crossings of the Canal navigation channel:** The vessel shall establish communications on Channel 12 with the appropriate signal station and maintain watch throughout the entire crossing.
4. **Harbor Movements or Movements Not Involving the Canal Channel:** In these instances, the vessel shall establish communications on channel 12 with the appropriate signal station and shall maintain watch throughout all of its movements. However, Canal pilots are required for bunkering operations in the harbor, or for moving dead tows in or out and within the harbor.
5. **Boarding for inspection:** In order to comply with these rules, vessels with pilotage exemption are subject to inspection by the Authority at any time, at least once a year.

Any vessel that fails to comply with the provisions in numerals 1, 2, 3, 4 or 5 of this Article shall have its pilotage exemption revoked for a period of six months the first time and one year the second time, through resolutions that do not admit any administrative appeal. Once the term of the revocation has been fulfilled, the interested party must request the exemption again. Shall this occur more than once, it could result in the permanent revocation of the pilotage exemption.

The revocation of the pilotage exemption will be notified to its owner or operator, the latter being understood as the natural or legal person in charge of the vessel's commercial management.

**Article 107:** For the transit of small craft with a length under 20 meters (65 feet), a transit advisor shall be assigned, who will act as advisor and transmit the procedures to be followed to the crew, based on his/her knowledge and experience within the operational area. A pilot will only be assigned to these small craft under special circumstances, as determined by the Authority.

## **Chapter VI** **Requirements Concerning the Crew**

### **Section One** **Full Crew and Responsibilities**

**Article 108:** A vessel navigating the Canal waters shall comply with the manning, training and certification requirements set forth in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978/95 (STCW).

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**Article 109:** When navigating in Canal waters, the vessel shall maintain full crew shifts at all times, both on deck and in the engine room, as well as its engines operating at full capacity. In addition, the vessel must comply with the following:

1. The vessel shall have sufficient seamen forward and aft to handle lines and operate the winches expeditiously when approaching a lock, mooring temporarily to a lock wall or in a lock chamber, or when docking, undocking, mooring, or shifting berth, or if requested by the pilot.
2. In addition to the engineer officer of a normal watch, the chief engineer of the vessel shall also remain on duty in the engine room during the approach to, and while passing through, the locks, and until the vessel is clear of the lock walls. In the same manner, the chief engineer shall be on duty in the engine room while the vessel is passing through Culebra Cut, docking or undocking, getting under way, anchoring, mooring, or shifting berth.
3. A deck officer shall stand by on the forecastle when a vessel is under way in Culebra Cut, or when docking, undocking, getting under way, anchoring, mooring, or when so requested by the Canal pilot
4. A deck officer shall be stationed on the forecastle, and another on the stern, from the time a vessel enters until it leaves a lock, and while docking, undocking, mooring, or shifting berth, or when so requested by the Canal pilot.
5. A vessel with a Canal pilot on board shall have a seaman stationed on the forecastle, throughout the entire transit, who is capable of and ready to operate the ground tackle, provided with effective means of communication with the navigation bridge.
6. Every vessel with a tug made fast on the stern shall have an officer or qualified seaman stand by on the stern, provided with an effective means of communication with the navigation bridge.
7. When anchored, moored, or lying at a Panama Canal pier, a vessel shall have on board at least one (1) qualified deck officer, (1) one qualified engineer officer, and sufficient crew to provide for the safety of the vessel.

**Article 110:** Transit of the Canal may be denied to a vessel that does not comply with the requirements referred to in the Articles of this section.

## **Section Two Responsibilities of the Vessel Master and Officers**

**Article 111:** The master or a qualified officer shall be present on the bridge, as indicated below:

1. When arriving, during the lockage and until the vessel completely clears the locks. In addition, must be present when the vessel is docking or undocking, getting under way, anchoring, mooring, or shifting berth, or is under way in Culebra Cut, or when so requested by the Canal pilot.
2. The master, or a qualified deck officer, will be present at all other times on the bridge and shall keep the pilot informed concerning the handling of the vessel, so that the pilot may be better able to control the navigation and movement of the vessel. All other officers shall be at their regular stations throughout the maneuvers described in this Regulation.

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3. The master and the qualified officer on duty on the navigation bridge, as well as officers on duty at the bow and stern, must have a working knowledge of the English language and shall ensure that the pilot's orders are promptly and properly carried out by the crew at all times.

### **Section Three Unauthorized Personnel at the Bridge**

**Article 112:** While the vessel is navigating, the presence of other persons will not be allowed on the navigation bridge or in the Canal pilot shelters, with the exception of Authority personnel, the vessel's master, crew, officer in charge or other persons duly authorized by the Authority.

### **Chapter VII Requirements and Prohibitions during the Transit of a Vessel through the Locks**

**Article 113:** When entering and passing through the locks, vessels must comply with the following safety measures, technical provisions and prohibitions:

#### **1. Passengers and Crew:**

The master and officers of a vessel shall require all passengers and personnel not directly engaged in the vessel's maneuvers to keep well clear of cables, lines, chocks, bits, capstans, and other equipment and gear used in connection with the lockage.

#### **2. Embarking or Disembarking at Locks:**

a. No crew member or passenger shall embark or disembark from a vessel while it is in the locks, without prior authorization from the Authority, which shall not be held responsible for any injuries to persons or property, or for damage to vessels, which may result from the granting of such authorization.

b. Carrying of firearms while the vessel is in one of the locks is prohibited, except in the case of law enforcement officials, Authority employees who are authorized to carry weapons in the performance of their official duties, or other persons authorized by the Authority.

c. Personnel on board a vessel are prohibited from using ladders or boatswain's chairs over the side of the vessel while the vessel is in the locks chamber. Personnel are prohibited from disembarking onto the locks walls for any purpose, including draft readings, which are to be obtained through the Canal pilot.

#### **3. Use of Locomotives, Locks Tugboats and Linehandlers**

The Authority shall determine and assign the number of locomotives and towing wires required, as well as the number of assisting tugboats per lock and number of mooring lines, as appropriate. It will also determine and assign the amount of deck personnel required for a vessel, according to its length, beam, displacement and special conditions, as well as the locks to be used.

The vessel must provide sufficient personnel for the operation of the vessel's winches and capstans.

#### **4 Arrow Signals:**

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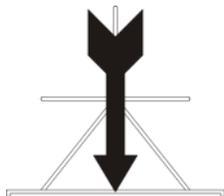
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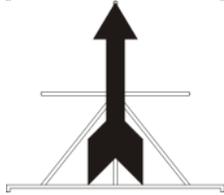
The Authority shall communicate by means of arrow signals, installed at the ends of the locks, as well as through radio, which lock and which side of the lock will be used for each lockage. Likewise, the availability of the lock will be informed through the arrows, as indicated below:

**5 Use of Towing Locomotives:**

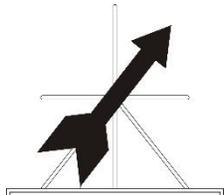
a. When a vessel passes through the locks that use locomotives as a positioning system, they will tow it using steel cables. The Canal pilot will issue orders to the locomotives to assist the vessel.



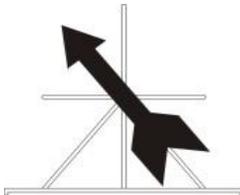
Not ready; lockage cannot take place for some time.



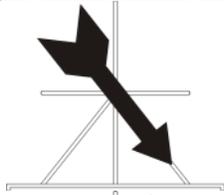
Not ready; standoff well clear of lock, prepared to approach on signal.



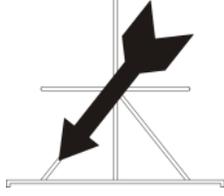
Locks making preparation, probably be ready for lockage in 10 minutes or less; you may approach with caution, prepared to tie up or enter on right hand side on signal.



Locks making preparation, probably be ready for lockage in 10 minutes or less; you may approach with caution, prepared to tie up or enter on left-hand side on signal.



Moor to approach wall near jaws on right-hand side.

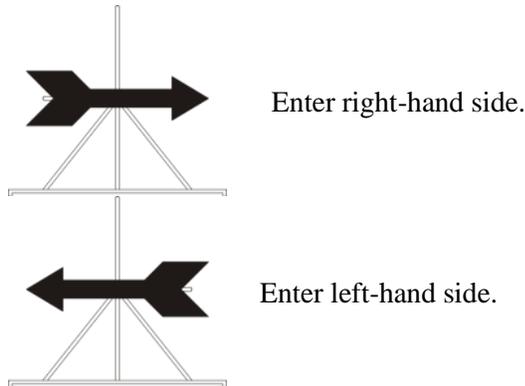


Moor to approach wall near jaws on left-hand side.

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b. After securing the cables on board, the Canal pilot will give the vessel's engine orders during lockage.

#### **6 Use of Locks Tugboats:**

a. A vessel that is scheduled to transit through the Agua Clara or Cocoli locks will use tugboats for assistance during its lockage.

b. The Authority shall determine the number of tugboats that will be assigned during these lockages, in accordance with the vessel's length, beam, draft or other characteristics.

c. The lockage tugboats that are assigned for these lockages in addition to those that may be assigned to assist during the approach maneuver to the locks.

d. The pilot will provide the tugboats assigned to assist the vessel with specific instructions of where and when to make fast and when to let go, as well as specific orders for assistance.

#### **7 Lockage of small craft:**

Small craft and tugboats up to 45.72 meters (150 feet) in length will perform the lockage using their own power, ropes and fenders. The Authority will determine if the lockage will be made in the center of the chamber or making contact with the side walls, depending on the vessel's structure and fenders.

The Authority may authorize, on a case-by-case basis, the lockage without locomotives of vessels more than 38.10 meters (125 feet) in length.

#### **8 Requirements for mooring vessels:**

a. Before starting the transit, the vessel must have on deck and ready to be used immediately: six (6) mooring lines forward, and six (6) aft, of appropriate size and strength for mooring to a dock, to the lock approach wall, or inside the lock chamber. Vessels that are scheduled to transit the Agua Clara or Cocoli locks must have at least four (4) lines forward on the drums of the forward winches, and four (4) of the aft lines on the drums of the aft winches, except on vessels previously authorized by the Authority to use cables instead of ropes, in which case they must have at least four (4) cables on the drums of the forward winches and four (4) on those of the aft winches.

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The criteria for the use of cables must be developed before their use is authorized.

- b. Each line shall be at least 75 meters (250 feet) in length, shall be in good condition, and shall have an eye of at least 1.50 meters (5 feet) spliced in one end. If the use of ropes composed of both wire and fiber or filament is authorized, they should also have an eye of at least 1.50 meters (5 feet) spliced in one end.
- c. The captain must inform the Authority's boarding officer if the vessel has the ropes to comply with the above. Non compliance with this requirement could result in transit delay until the vessel complies.

## **Chapter VIII Collision Prevention**

### **Section One General Provisions**

**Article 114:** Vessels navigating the Canal waters shall comply with the international rules contained in 72 COLREGS and the Rules for Preventing Collisions in the Panama Canal, constituted by the particular provisions issued by the Authority on collision prevention, and warning and maneuvering acoustic signals, indicated below:

#### **Rule 1: Application**

1. The provisions herein shall apply to navigable waters between a line connecting the East Breakwater Light and the West Breakwater Light at the Atlantic entrance to the Canal, and a line passing through Buoys 1 and 2 at the Pacific entrance to the Canal, and that extends to Lighted Buoy X west of the channel and to San Jose Rock east of the channel.
2. The Rules of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) shall apply in Canal waters to seaward of these boundary lines.

### **Section Two Steering and Sailing Rules**

#### **Conduct of vessels in any condition of visibility**

#### **Rule 2: Application**

The rules of this section apply in any condition of visibility.

#### **Rule 3: Lookout**

Every vessel shall at all times while under way in the Canal and adjacent waters, maintain a proper lookout by sight and hearing, as well as by all available means appropriate in the prevailing circumstances and conditions, so as to make a full appraisal of the situation, and of the risk of collision. The person acting as lookout shall have no other assigned duties, and shall report immediately all relevant and material information.

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Every lookout shall fulfill the following functions:

1. Maintain continuous visual and acoustic vigilance, as well as by other available means, with respect to any significant change during the navigation of the vessel and its surroundings;
2. Report situations that represent a risk of collision, grounding and other navigation hazards; and
3. Report vessels or aircraft in danger, shipwrecks, castaways, debris and any other danger to safe navigation.

#### **Rule 4: Safe Speed**

Every vessel shall at all times proceed at a safe speed, so that she can take proper and effective action to avoid collision, and be stopped within a distance appropriate to the prevailing circumstances and conditions.

In determining a safe speed, the following factors, among others, shall be taken into account:

1. On all vessels:
  - a. The state of visibility.
  - b. The traffic density, including concentrations of small craft or any other vessels.
  - c. The maneuverability of the vessel, with special reference to stopping distance, and turning ability in the prevailing conditions.
  - d. At night, the presence of background light, such as from shore lights, or from back scatter of her own lights.
  - e. The state of wind, sea, and current, and the proximity of hazards to navigation.
  - f. The draft of the vessel, in relation to the available depth of water.
2. Additionally, on vessels with operational radars:
  - a. The characteristics, efficiency, and limitations of the radar equipment.
  - b. Any constraints imposed by the radar range scale in use.
  - c. The effect on radar detection of the sea state, weather, and other sources of interference.
  - d. The possibility that small vessels and other floating objects may not be detected by radar at an adequate range.
  - e. The number, location, and movement of vessels detected by radar.
  - f. The more exact assessment of the visibility that may be possible when radar is used to determine the range of other vessels or other objects.
3. The global positioning systems by satellite (GPS) shall be used to determine the position and speed, when available.
4. The Authority may establish speed limits for vessels in the different Canal areas. Speed limits may vary in accordance with different circumstances and safety conditions, and such variations thereto shall be published.
5. A vessel transiting in Canal waters at locations other than those for which speed limits have been specified, including Gatun Anchorage, Bohio Bend, Mamey Curve, Miraflores Lake, and in or near the locks, shall not exceed a speed that is safe under the existing circumstances and conditions, except in an emergency.

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6. Whenever a vessel is under way in areas where speed is limited, and the vessel's speed at dead slow ahead exceeds it, she is permitted to proceed at the slowest speed possible required to safely maintain maneuverability.
7. The Authority may authorize departures from the maximum speeds established, in the case of particular vessels whose handling characteristics are such as to indicate that a higher speed or speeds can be prudently allowed.
8. Paragraph 4 of this rule does not apply to Authority motorboats or vessels. Nevertheless, Authority motorboats and floating equipment when underway shall proceed at a speed which is reasonable under the prevailing circumstances and conditions, and which does not create a hazard to life or property.

#### **Rule 5: Risk of Collision**

1. Every vessel shall use all available means appropriate to the prevailing circumstances and conditions, to determine if risk of collision exists. If there is any doubt, such risk shall be deemed to exist.
2. Proper use shall be made of radar equipment, if fitted and operational.
3. Assumptions shall not be made on the basis of scanty information, especially scanty radar information.
4. In determining if risk of collision exists, the following considerations shall be among those taken into account:
  - a. It shall be deemed that there is a risk of collision if the compass bearing of an approaching vessel does not appreciably change.
  - b. In some cases, such risk may exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow, or when approaching a vessel at close range.

#### **Rule 6: Maneuvers to Avoid Collision**

1. If permitted by the circumstances of the case, any maneuver to avoid collision shall be clear, made in ample time, and with due regard to the observance of good seamanship.
2. If permitted by the circumstances of the case, any alteration of course and/or speed to avoid collision shall be large enough to be readily apparent to another vessel observing visually or by radar. A succession of small alterations of course and/or speed shall be avoided.
3. If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation, provided that it is made in good time, is substantial, and does not result in another close-quarters situation.
4. Any maneuvers to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the maneuver shall be carefully monitored until the other vessel is finally past and clear.

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5. If necessary to avoid collision, or allow more time to assess the situation, a vessel shall slacken her speed, or take all way off by stopping or reversing her means of propulsion.
6. When two vessels are proceeding in such directions as to involve risk of collision, a power-driven vessel, motorboat, or sailing vessel that is entering or preparing to enter the main channel of the Canal from either side, shall not cross the bow of a vessel proceeding in either direction along the Canal axis, and shall keep clear until the vessel proceeding along the Canal axis has passed.

#### **Rule 7: Narrow Channels**

1. A vessel proceeding along the course of a narrow channel or fairway shall keep as near as possible to the outer limit of the channel or fairway which lies on her starboard side, provided this can be done safely.
2. A vessel less than 20 meters (65 feet) in length, or a sailing vessel, shall not impede the passage of vessels that can safely navigate only within a narrow channel or fairway.
3. A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.
4. A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel shall use the acoustic signal prescribed in rule 29, paragraph 3, if in doubt as to the intention of the crossing vessel.
5. When overtaking in a narrow channel or fairway, the vessel intending to overtake shall indicate her intention by sounding the appropriate acoustic signal prescribed in Rule 29, paragraph 1. The overtaken vessel, if in agreement, shall sound the appropriate signal. If in doubt, she shall sound the acoustic signal prescribed in Rule 29, paragraph 3.

The provisions of this rule do not relieve the overtaking vessel of her obligations under Rule 10.

6. A vessel nearing a bend, or an area of a narrow channel or fairway, where other vessels may be obscured by an intervening obstruction, shall navigate with alertness and caution.
7. When two power-driven vessels are meeting end on, or nearly end on in the Canal, and in the vicinity of an obstruction, e.g., a dredge, drill barge, slide, etc., the vessel whose side of the Canal is clear shall have the right-of-way, and the other vessel shall hold back and keep out of the way, until the privileged vessel is clear.
8. Vessels shall avoid anchoring in a narrow channel, if permitted by the circumstances of the case. Nor may a vessel be moored at any port facility or mooring buoys so that any part of the vessel extends into the navigation channel.

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## **Conduct of Vessels in Sight of One Another**

### **Rule 8: Application**

Rules 9 through 15 shall apply only to vessels in sight of one another.

### **Rule 9: Sailing Vessels**

1. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:
  - a. When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.
  - b. When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.
  - c. If a vessel with the wind on the port side sees a vessel to windward, and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.
2. For the purpose of this rule, the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

### **Rule 10: Overtaking**

1. Notwithstanding the provisions contained in the rules of this section, any vessel overtaking any other shall keep out of the way of the overtaken vessel, except that within the Canal channel, all pleasure vessels and crafts, even though they are an overtaken vessel, shall keep out of the way of transiting vessels, and Authority floating equipment.
2. A vessel shall be deemed to be overtaking, when coming up with another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the stern light of that vessel, but neither of her sidelights.
3. When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case, and act accordingly
4. Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of this chapter, nor relieve her of the duty of keeping clear of the overtaken vessel, until she is finally past and clear.
5. Except as specially authorized by the Authority, a power-driven vessel shall not overtake and pass another power-driven vessel in any channel under 218 meters (715 feet) in width. This paragraph does not apply where either the overtaking or the overtaken vessel is less than 45.8 meters (150 feet) in length or is an Authority vessel.

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### **Rule 11: Head-on Situation**

1. When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses, so as to involve risk of collision, each shall alter her course to starboard, so that each shall pass on the port side of the other.
2. Such a situation shall be deemed to exist when a vessel sees the other ahead, or nearly ahead, and by night she could see the masthead lights of the other in a line or nearly in a line, and/or both sidelights, and by day she observes the corresponding aspect of the other vessel.
3. When a vessel is in doubt as to whether such a situation exists, she shall assume that it does exist, and act accordingly.
4. In the Canal channel, every power-driven vessel encountering another vessel while proceeding along the line of the channel, shall keep to that side of the fairway or midchannel which lies on its starboard side. When two such vessels so proceeding are bound in opposite directions, they shall, when it is safe and practicable, be governed by the provisions of paragraph 1 above, even when, by reason of an intervening bend in the channel, their headings are not substantially opposite when they first sight each other; and neither of them shall alter course to port across the course of the other.

Authority floating equipment shall, whenever practicable, keep well over to that side of the Canal which is to their starboard when large vessels are passing.

### **Rule 12: Crossing Situation**

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case permit, avoid crossing ahead of the other vessel.

### **Rule 13: Maneuvering by Give-Way Vessel**

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear of the other vessel.

### **Rule 14: Maneuvering by Stand-On Vessel**

1. When one of the vessels is to keep out of the way of the other, the latter shall keep her course and speed.  
However, the latter vessel may take action to avoid collision by her maneuver alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action to comply with this rule.
2. When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

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3. A power-driven vessel which takes action in a crossing situation in accordance paragraph 1 of this rule to avoid collision with another power-driven vessel, shall, if the circumstances of the case permit, not alter course to port for a vessel on her own port side.
4. This rule does not relieve the give-way vessel of her obligation to keep out of the way.

**Rule 15: Responsibilities between types of vessels**

Except where rules 7 and 10 of this section otherwise require:

1. A power-driven vessel under way shall keep out of the way of:
  - a. A vessel not under command.
  - b. A vessel restricted in her ability to maneuver.
2. A sailing vessel under way shall keep out of the way of:
  - a. A vessel not under command.
  - b. A vessel restricted in her ability to maneuver.
  - c. A power-driven vessel, except a motorboat.
3. In general, a seaplane on the water shall keep well clear of all vessels, and avoid impeding their navigation. However, if there is risk of collision, she shall comply with the provisions of rules 2 through 15 of this chapter.
4. Floating equipment at work in a stationary position shall have a privileged right to such position, and no passing vessel shall foul such equipment or its moorings, or pass at such speed as to create a dangerous wash or wake. Floating equipment of the Canal from which divers are working, and floating equipment so moored, and vessels under repair and in such condition that a high wash might cause swamping or be hazardous to the workmen, shall be passed by all vessels at a speed sufficiently slow as not to create a dangerous wash or wake.

**Rule 16: Conduct of Vessels in Restricted Visibility**

1. This rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.
2. Vessels shall proceed at a safe speed adapted to the prevailing circumstances, and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate maneuver.
3. Vessels shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with rules 2 through 7.
4. A vessel which detects by radar alone the presence of another vessel, shall determine if a close-quarters situation is developing, or if risk of collision exists. If so, she shall maneuver in ample time, provided that when such maneuver consists of an alteration of course, so far as possible the following shall be avoided:
  - a. An alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken.
  - b. An alteration of course towards a vessel abeam or abaft the beam.

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5. Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall, if necessary, take all her way off, and in any event, navigate with extreme caution until the danger of collision is over.

6. Except as provided in paragraph 7 of this rule, vessels moored or at anchor shall not get under way when, because of atmospheric conditions, visibility is less than 300 meters (1,000 feet). Vessels under way in such conditions shall anchor or moor as soon as practicable, and contact the Authority immediately, by radio or other available means.

7. Vessels specially equipped to navigate under conditions restricting visibility and vessels which have a pilot aboard and which are assisted by Authority vessels specially equipped to navigate under such conditions, may, at the discretion of the Authority, be navigated when visibility is less than 300 meters (1,000 feet)

### **Section Three Lights and Shapes**

#### **Rule 17: Application**

1. The provisions of rule 17 through 27 shall be complied with in all weather conditions
2. The rules concerning lights shall be complied with from sunset to sunrise, and during such times, no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in this part, or which do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout.
3. The lights prescribed by these rules, if carried, shall also be exhibited from sunrise to sunset in restricted visibility, and may be exhibited in all other circumstances when it is deemed necessary.
4. The rules concerning shapes shall be complied with by day.
5. The lights and shapes specified in this part shall comply with the provisions of Annex I to 72 COLREGS and any amendment made thereto. All the shapes referred to in this rule shall be in black.

#### **Rule 18: Definitions**

**Flashing Light.** A light flashing at regular intervals, at a frequency of 120 flashes or more per minute.

**Stern Light.** A white light placed as nearly as practicable at the stern, showing an unbroken light over an arc of the horizon of 135 degrees, and so fixed as to show the light 67.5 degrees from the stern, on each side of the vessel.

**Sidelights.** A green light on the starboard side, and a red light on the port side, each showing an unbroken light over an arc of the horizon of 112.5 degrees, and so fixed as to show the light from right ahead to

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22.5 degrees abaft the beam on its respective side. In a vessel less than 20 meters (65 feet) in length, the sidelights may be combined in one lantern carried on the fore and aft centerline of the vessel.

**Towing Light.** A yellow light, having the same characteristics as the stern light defined above.

**Masthead Light.** A white light placed over the fore and aft centerline of the vessel, showing an unbroken light over an arc of the horizon of 225 degrees, and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam, on either side of the vessel.

**All-round Light.** A light showing an unbroken light over an arc of the horizon of 360 degrees.

### **Rule 19: Visibility of Lights**

The lights prescribed in this section shall have an intensity as specified in section 8 of Annex 1 to 72 COLREGS, so as to be visible at the following minimum ranges:

1. In vessels of 50 meters or more in length:
  - a. A masthead light, 6 nautical miles.
  - b. A sidelight, 3 nautical miles.
  - c. A stern light, 3 nautical miles.
  - d. A towing light, 3 nautical miles.
  - e. A white, red, green, or yellow all-round light, 3 nautical miles.
2. In vessels of 12 meters or more in length, but less than 50 meters in length:
  - a. A masthead light, 5 miles; except that, where the length of the vessel is less than 20 meters (65 feet), 3 nautical miles.
  - b. A sidelight, 2 nautical miles.
  - c. A stern light, 2 nautical miles.
  - d. A towing light, 2 nautical miles.
  - e. A white, red, green, or yellow all-round light, 2 nautical miles.
3. In vessels of less than 12 meters in length:
  - a. A masthead light, 2 nautical miles.
  - b. A sidelight, 1 nautical mile.
  - c. A stern light, 2 nautical miles.
  - d. A towing light, 2 nautical miles.
  - e. A white, red, green, or yellow all-round light, 2 nautical miles.
4. In inconspicuous, partly submerged vessels or objects being towed:
  - a. A white all-round light, 3 nautical miles.

### **Rule 20: Power-driven vessels under way**

1. A power-driven vessel underway shall exhibit:
  - a. A masthead light forward.
  - b. A second masthead light abaft of and higher than the forward one; except that a vessel of less than 50 meters in length shall not be obliged to exhibit such light, but may do so.
  - c. Sidelights.

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- d. A stern light.
2. An air-cushion vessel, when operating in the non-displacement mode shall, in addition to the lights prescribed in paragraph 1 of this rule, exhibit an all-round flashing yellow light.
3. A power-driven vessel of less than 12 meters in length may, in lieu of the lights prescribed in paragraph 1 of this rule, exhibit an all-round white light. These vessels shall also display sidelights.
4. A power-driven vessel of less than 7 meters in length, and whose maximum speed does not exceed 7 knots may, in lieu of the lights prescribed in paragraph 1 of this rule, exhibit an all-round white light, and shall, if practicable, also exhibit sidelights.
5. The masthead light or all-round white light on a power-driven vessel of less than 12 meters in length may be displaced from the fore and aft centerline of the vessel, if centerline fitting is not practicable, provided that the sidelights are combined in one lantern which shall be carried on the fore and aft centerline of the vessel, or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.
6. A vessel employed in the transportation or transfer of flammable, explosive, toxic, or radioactive commodities shall carry, in addition to her appropriate mooring, anchor, or navigation lights, where it can best be seen, a red all-round light, of such a character as to be visible at a distance of at least 2 nautical miles. By day, she shall display, where it can best be seen, a red flag if the cargo includes flammable or explosive commodities, and the international single flag signal "T", if the commodity is toxic or radioactive only.

#### **Rule 21: Vessels Towing and Pushing**

1. A power-driven vessel when towing shall exhibit:
  - a. Instead of the light prescribed in *a* or *b* of paragraph 1, Rule 20, two (2) masthead lights in a vertical line. When the length of the tow, measuring from the stern of the towing vessel to the after end of the tow, exceeds 200 meters, it shall exhibit three (3) such lights in a vertical line.
  - b. Sidelights.
  - c. A stern light.
  - d. A towing light in a vertical line above the stern light.
  - e. When the length of the tow exceeds 200 meters, a diamond shape where it can best be seen.
2. When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit, they shall be regarded as a power-driven vessel, and shall exhibit the lights prescribed in Rule 20.
3. A power-driven vessel, when pushing ahead or towing alongside, except in the case of a composite unit, shall exhibit:
  - a. Instead of the light prescribed in *a* or *b* of paragraph 1, Rule 20, two (2) masthead lights in a vertical line.
  - b. Sidelights.
  - c. A stern light.

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4. A power-driven vessel to which paragraph 1 or 3 above apply, shall also comply with *b* of paragraph 1, Rule 20.
5. A vessel or object being towed shall exhibit:
  - a. Sidelights
  - b. A stern light.
  - c. When the length of the tow exceeds 200 meters, a diamond shape where it can best be seen.
6. Considering that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel:
  - a. A vessel being pushed ahead, not being part of a composite unit, shall exhibit sidelights at the forward end.
  - b. A vessel being towed alongside, shall exhibit a stern light and sidelights at the forward end.
7. An inconspicuous, partly submerged vessel or object, or combination of such vessels or objects being towed, shall exhibit.
  - a. If it is less than 25 meters in breadth, one all-round white light at or near the forward end and one at or near the after end, except dracones, which need not exhibit a light.
  - b. If it is 25 meters or more in breadth, two (2) additional all-round white lights at or near the extremities of its breadth.
  - c. If it exceeds 100 meters in length, additional all-round white lights between the lights prescribed in paragraphs *a* and *b* of this rule, so that the distance between the lights shall not exceed 100 meters.
  - d. A diamond shape at or near the aftermost extremity of the last vessel or object being towed, and if the length of the tow exceeds 200 meters, an additional diamond shape where it can best be seen, and located as far forward as is practicable
8. Where, from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights or shapes prescribed in paragraph 5 or 7 of this rule, all possible measures shall be taken to light the vessel or object towed, or at least to indicate the presence of the unlighted vessel or object
9. Where, from any sufficient cause, it is impracticable for a vessel not normally engaged in towing operations, to display the lights prescribed in paragraph 1 or 3 of this rule, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being towed, in accordance with rule 31, in particular by illuminating the towline.

## **Rule 22: Sailing Vessels Under Way and Vessels Under Oars**

1. A sailing vessel under way shall exhibit:
  - a. Sidelights.
  - b. A stern light.
2. In a sailing vessel less than 20 meters (65 feet) in length, the lights prescribed in paragraph 1 of this rule may be combined in one lantern, carried at or near the top of the mast, where it can best be seen.

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3. A sailing vessel under way may, in addition to the lights prescribed in paragraph 1 of this rule, exhibit at or near the top of the mast, where they can best be seen, two (2) all-round lights in a vertical line, the upper being red, and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph 2 of this rule.
4. A sailing vessel of less than 7 meters in length shall, if practicable, exhibit the lights prescribed in paragraph 1 or 2 of this rule, but if she does not, she shall have ready at hand an electric torch or lighted lantern, showing a white light, which shall be exhibited in sufficient time to prevent collision.
5. A vessel under oars may exhibit the lights prescribed in the previous paragraph.
6. A vessel proceeding under sail, when also being propelled by machinery, shall exhibit forward where it can best be seen, a conical shape, apex downwards.

### **Rule 23: Fishing Vessels**

Vessels engaged in fishing, as defined in Article 9, shall stay well clear of the navigable waters of the Canal Operation Compatibility Area.

### **Rule 24: Vessels Not Under Command or Restricted in their Ability to Maneuver**

1. A vessel not under command shall exhibit, where they can best be seen:
  - a. Two (2) all-round red lights in a vertical line.
  - b. Two (2) balls or similar shapes in a vertical line.
  - c. When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and the stern light.
2. A vessel restricted in her ability to maneuver shall exhibit, where they can best be seen:
  - a. Three (3) all-round lights in a vertical line. The highest and lowest of these lights shall be red, and the middle light shall be white.
  - b. Three (3) shapes in a vertical line. The highest and lowest of these shapes shall be balls, and the middle one a diamond.
  - c. When making way through the water, in addition to the lights prescribed in paragraph 2 *a* of this rule, masthead light or lights, sidelights, and a stern light.
  - d. When at anchor, in addition to the lights or shapes prescribed in paragraphs 2 *a* and *b* of this rule, the lights or shapes prescribed in rule 26.
3. A vessel engaged in a towing operation that restricts the towing vessel and her tow in their ability to deviate from their course, shall exhibit, in addition to the lights or shapes prescribed in paragraph 1 of rule 21, the lights or shapes prescribed in paragraphs 2 *a* and *b* of this rule.
4. A vessel engaged in dredging or underwater operations, when restricted in her ability to maneuver, shall exhibit the lights and shapes prescribed in paragraph 2 *a*, *b* and *c* of this rule, and in addition, when an obstruction exists, shall exhibit:
  - a. Two (2) all-round red lights, or two (2) balls in a vertical line, to indicate the side on which the obstruction exists.

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- b. Two (2) all-round green lights, or two (2) diamonds on a vertical line, to indicate the side in which another vessel may pass.
  - c. When at anchor, the lights or shapes prescribed in this paragraph, instead of the lights or shapes prescribed in rule 26.
5. Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed by paragraph 4 of this rule, the lights and shapes prescribed by rule 33 shall be exhibited.
  6. Vessels of less than 12 meters in length, except those engaged in diving operations, shall not be required to exhibit the lights or shapes prescribed in this rule.
  7. The signals prescribed in this rule are not signals of vessels in distress and requiring assistance. Such signals are contained in rule 32.

#### **Rule 25: Pilot Vessels**

1. A vessel engaged on pilot transport shall exhibit:
  - a. At or near the masthead, two (2) all-round lights in a vertical line, the upper being white, and the lower red.
  - b. When under way, sidelights and a stern light.
  - c. When at anchor, in addition to the lights prescribed in paragraph 1 *a* of this rule, the light, lights or shapes prescribed in rule 26 for vessels at anchor.
  - d. The International Flag "H" (Hotel) flying at or near the masthead.
2. Pilot vessels, when not engaged on pilotage duty, shall exhibit the lights and shapes prescribed for similar vessels with the same length.

#### **Rule 26: Anchored Vessels and Vessels Aground.**

1. A vessel at anchor shall exhibit, where it can best be seen:
  - a. In the fore part, an all-round white light or one ball.
  - b. At or near the stern, and at a lower level than the light prescribed in paragraph 1 *a* of this rule, an all-round white light.
2. A vessel of less than 50 meters in length, may exhibit an all-round white light where it can best be seen, instead of the lights prescribed in paragraph 1 of this rule.
3. A vessel at anchor may also use the available working or equivalent lights to illuminate her decks; however, their use is mandatory for vessels of 100 meters and more in length.
4. A vessel aground shall exhibit the lights prescribed in paragraph 1 or 2 of this rule, and in addition, where they can best be seen:
  - a. Two (2) all-round red lights in a vertical line.
  - b. Three (3) balls in a vertical line.

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5. A vessel of less than 7 meters in length, when at anchor, not in or near a narrow channel, fairway, anchorage or frequent navigation area, shall not be required to exhibit the lights or shapes prescribed in paragraphs 1 and 2 of this rule.

6. When aground, small craft of less than 20 meters in length, shall not be required to exhibit the lights or shapes prescribed in paragraphs 4 *a* and *b* of this rule.

7. Small craft of less than 20 meters in length, when at anchor in any special anchorage designated by the Authority for such vessels, shall not be required to carry or exhibit the lights or shapes specified in paragraph 1 of this rule.

**Rule 27: Seaplanes.**

When seaplanes cannot exhibit lights and shapes of the characteristics or in the positions prescribed in the rules, they shall exhibit lights and shapes with the most similar characteristics and position as is possible.

**Section Four  
Sound and light signals.**

**Rule 28: Equipment for Sound Signals.**

1. A vessel of 12 meters or more in length shall be provided with a whistle and a bell, whilst a vessel of 100 meters or more in length shall be additionally provided with a gong, the tone and sound of which cannot be mistaken for that of the bell. The whistle, bell, and gong shall comply with the specifications in Annex III of 72 COLREGS, and all amendments thereto. The bell, or gong, or both, may be replaced with other equipment having the same sound characteristics, provided that the mandatory sound signals may be produced manually at any given time.

2. Vessels of less than 12 meters in length shall not be obliged to carry the sound signaling devices prescribed in paragraph 1 of this rule, but when they do not, they shall be provided with some other means to produce efficient sound signals.

**Rule 29: Maneuvering and Warning Signals.**

1. Whenever two (2) vessels are in sight of one another, and cross or navigate while maneuvering at a distance of half a mile of each other, each vessel underway, when maneuvering as authorized or required by the provisions of this rule, shall indicate such maneuver by way of the following sound signals on their whistle:

a. One (1) short blasts to mean, *I intend to leave you on my starboard side;*

b. Two (2) short blasts to mean, *I intend to leave you on my port side;* and

c. Three (3) short blasts signals to mean, *I am operating astern propulsion.*

2. A vessel may supplement the whistle signals prescribed in paragraph 1 of this rule by way of light signals, which will be repeated according to the circumstances.

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- a. These signals shall have the following significance: one (1) flash to mean, *I intend to leave you on my starboard side*; two (2) flashes to mean, *I intend to leave you on my port side*; and three (3) flashes to mean, *I am operating astern propulsion*.
  - b. The duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than 10 seconds.
  - c. The light used for the signal mentioned in sub-paragraphs *a* and *b* of this paragraph, shall be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the specifications therefor.
3. When several vessels in sight of one another are approaching each other, and for any reason, one vessel fails to understand the intentions or actions of the other, or is in doubt whether the other is doing the proper maneuver in order to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. This acoustic signal may be supplemented by a light signal of at least five short and rapid flashes.
  4. If a vessel's whistles are fitted at a distance of over 100 meters apart, only one whistle shall be used for giving maneuvering and warning signals.
  5. When a power-driven vessel is leaving a dock, she shall sound one prolonged blast.
  6. Vessels that agree to meet, cross, or overtake one another by means of customary radio frequencies, are not bound to, but may sound the prescribed whistle signals. Should they not reach an agreement, then they shall exchange whistle signals in a timely manner, and these signals shall prevail.
  7. When a power-driven vessel or motorboat is approaching a pipeline which is obstructing the channel, and desires to pass through the gate, she shall give a signal of one prolonged blast followed by a short blast, and the gate tender shall promptly answer with the same signal, if ready to have the approaching vessel pass, or with the danger signal, if it is not safe for the vessel to pass. In no case shall the approaching vessel attempt to pass until the gate tender indicates, with one prolonged and one short blast that the channel is open. The gate tender shall so signify as soon as practicable, and the approaching vessel shall answer in the same fashion.

**Rule 30: Sound Signals under Restricted Visibility Conditions.**

In or near an area of restricted visibility, whether by day or night, the signals prescribed in this rule shall be used as follows:

1. A power-driven vessel making way through the water shall sound at intervals of not more than two (2) minutes one prolonged blast.
2. A power-driven vessel underway, but stopped, and making no way through the water, shall sound at intervals of not more than two (2) minutes, two (2) prolonged blasts in succession, with an interval of 2 seconds between them.
3. A vessel not under command or with restricted maneuvering ability, as well as a sailing vessel, or a vessel engaged in towing or pushing another vessel, shall, instead of using the signals prescribed in

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paragraph 1 or 2 of this rule, perform three (3) consecutive blasts as follows: one prolonged blast followed by two (2) short ones, separated by intervals that shall not exceed two (2) minutes each.

4. A vessel with restricted in her ability to maneuver, operating while at anchor, shall, instead of the signals prescribed in paragraph 7 of this rule, sound the signal prescribed in paragraph 3 of this rule.

5. A vessel so towed, if manned, shall sound four consecutive blasts, namely one prolonged blast followed by three (3) short ones. When more than one vessel is towed, only the last vessel of the group shall sound this signal. When practicable, the signal shall be made immediately after the signal made by the towing vessel.

6. When the connection between a pushing vessel and a vessel being pushed ahead is rigid and, thus, the vessels becomes an Integrated Tug-Barge unit, they shall be regarded as a power-driven vessel, and shall issue the signals prescribed in paragraph 1 or 2 of this rule.

7. Anchored vessels shall, at intervals not exceeding one minute, ring the bell for about five (5) seconds. Vessels of 100 meters or more in length, shall sound their bells at their bow, and immediately after the ringing of the bell, the gong shall be sounded at the stern rapidly, for about five (5) seconds. Additionally, vessels at anchor may sound three (3) successive blasts, namely one short blast, one prolonged blast, and again one short blast, to give warning of her position, and of the possibility of collision to an approaching vessel.

8. A vessel aground shall give the bell signal and, if necessary, the gong signal prescribed in paragraph 7 of his rule; and three (3) separate and distinct strokes on the bell, immediately before and after the rapid ringing of the bell. A vessel aground may, in addition, sound an appropriate whistle signal.

9. Vessels of less than 12 meters in length shall not be obliged to give the above-mentioned signals, but if they do not, they shall make some other efficient sound signal at intervals of not more than two (2) minutes.

10. A pilot vessel, when engaged on the transport of pilots, may, in addition to the signals prescribed in paragraphs 1, 2, or 7 of this rule, sound an identity signal consisting of four short whistles.

### **Rule 31: Signals to Attract Attention.**

1. When necessary to call the attention of another vessel, any vessel may make light or sound signals that cannot be mistaken for any other signal authorized in any other rule, or may direct its light beam towards the danger, in such a way as not to disturb any other vessel. Any light used to attract attention of another vessel shall be one that cannot be mistaken for any navigational aid. For the purposes of this rule, the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

2. Under no circumstances shall the beam from a light projector or any other type of blinding light be directed towards the navigation bridge, nor in any other manner or direction which may interfere with the navigation of another vessel.

3. Submarines may display as a distinctive means of identification, an intermittent flashing amber (yellow) beacon with a functional sequence of one flash per second for three (3) seconds, followed by a three (3) second off-period.

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**Rule 32: Distress Signals.**

1. When in danger or in need of assistance, vessels shall use or exhibit the following signals:
  - a. A gun shot or other sort of detonation, fired at intervals of about a minute.
  - b. A continuous sounding with any fog-signaling apparatus.
  - c. Rockets or shells, throwing red flashes, fired one at a time, at short intervals.
  - d. A signal made by radiotelegraphy or by any other signaling method, consisting of the . . . - - - . . . (SOS) group in the Morse Code.
  - e. A signal sent by radiotelephone, consisting of the spoken word *MAYDAY*.
  - f. The International Code Signal of distress “NC”.
  - g. A signal consisting of a square flag, having either above or below it a ball or any object resembling a ball.
  - h. Flames on board (such as those coming from a burning tar barrel, oil barrel, etc.).
  - i. A rocket parachute flare or a hand flare producing a red light.
  - j. A smoke signal giving off a dense, orange-colored smoke.
  - k. Slow and repeated movements, raising and lowering the arms outstretched to each side.
  - l. The radiotelegraph alarm signal.
  - m. The radiotelephone alarm signal.
  - n. Signals transmitted by emergency positioning radio beacons.
2. The use or exhibition of any of the foregoing signals, except for the purpose of indicating distress and need of assistance, and the use of any signal or code which may be mistaken for any of the above signals, is hereby strictly forbidden.
3. Hereby emphasized are the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual, and the following signals:
  - a. A piece of orange-colored canvas, with either a black square and a circle, and some other appropriate symbol (for identification from the air).
  - b. A water dye mark.

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## **Section Five Miscellaneous**

### **Rule 33: Diving Operations.**

1. All industrial or commercial diving operations in Canal waters shall be coordinated with the Authority. When they are conducted, regardless of the atmospheric conditions, a revolving red light shall be displayed from sunset to sunrise, from the diving barge or other craft serving the diver. The light shall have sufficient intensity and be mounted so that it is visible from a distance of at least one mile. Also, said craft shall display an International Code Flag "A", of no less than 45 centimeters (18 inches) in height and standard proportions, during the day, where it may best be seen. This flag may be substituted with a rigid replica thereof.
2. Recreational diving activities in Canal waters are hereby forbidden except when authorized in writing by the Authority. Nevertheless, night diving activities shall not be authorized at any time within 457.2 meters (1500 feet) of the Canal's channel. When recreational diving activities are underway in the Canal waters, a flag of the type described in paragraph 1 of this rule shall be displayed from the craft serving the diver, in such a way as to allow all-round visibility. However, the flag displayed for recreational diving shall not be less than 30.48 centimeters (12 inches) in height, and shall comply with the standard proportions established in the International Code of Signals.
3. Vessels approaching or passing an area where diving activities are underway, shall reduce speed in order to avoid creating a dangerous wash or wake.

### **Rule 34: Activities Forbidden to be Conducted in Canal Waters.**

1. A vessel without a Canal pilot or advisor on board shall not be permitted to navigate the Culebra Cut, Miraflores Lake, south of the basin of the Port of Cristobal, the approach channels to the locks, north of the Canal's access to Cocoli Locks, nor the Canal's channel.
2. Small craft shall only be allowed to cross the channel perpendicularly at the entrances to the Canal and Gatun Lake when navigating between points located on either side of the navigational channel. Only small craft of less than 20 meters (65) in length shall be permitted to navigate outside the buoys, unless their draft does not allow them to do so, in which case they shall do so as close to the buoys as possible, on their starboard side.
3. It shall be prohibited to conduct any recreational or sport activities that may endanger Canal waters navigation, such as recreational diving, water skiing, jet skiing, windsurfing, aquaplanes or similar equipment, swimming and net fishing in the Culebra Cut, Miraflores Lake, south of the basin of the Port of Cristobal, the approach channel to the locks, north of the Canal's access to Cocoli Locks, nor the Canal's channel.

### **Rule 35: Lights Marking Pipelines Laid in Navigable Waters.**

Whenever a pipeline is laid in navigable waters, it shall be marked by amber lights at night, placed at intervals of 60.96 meters (200 feet). Lights marking the gate's boundaries shall be placed in a vertical line and consist of a white light above a red light, where the white light is to be at least 1.22 meters (4 feet) above the red light. These lights shall be installed so as to be seen all around the horizon, from a distance of at least 1 mile.

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**Rule 36: Lights on Barges on banks or docks.**

1. The following barges that are on banks or being used by dredges, shall display at night and during periods of restricted visibility, the lights described in paragraph 2 of this rule:
  - a. Those projecting into a navigation channel marked with buoys or into a restricted channel.
  - b. Those moored alongside in groups more than two (2) barges wide or with a maximum width of over 25 meters (82 feet), or any single barge with a width of over 25 meters (82 feet).
  - c. Those not moored parallel to the bank.
2. Barges described in paragraph 1 above shall carry two (2) unobstructed white lights, of an intensity to be visible for at least one (1) mile on a clear night, and arranged as follows:
  - a. On a single moored barge, lights shall be placed on the two (2) corners farthest from the bank or dock.
  - b. On barges moored alongside others in group formation, a light shall be placed on each end, on the corners farthest from the bank or dock.
  - c. Any barge from a group, projecting from the main body of the group toward the channel, shall be lighted as a single barge.
3. Barges moored to any slip or floating platform which is used primarily for mooring barges, are exempt from the lighting requirements of this rule.

**Article 115:** A vessel or a small craft of special construction or destined to a special purpose, exempted from compliance with 72 COLREGS, shall have a certificate of alternative compliance issued by the government of the vessel concerned, which shall be approved by the Authority.

**Article 116:** Nothing in this chapter shall exonerate any vessel or its owner, master, or crew thereof, from the consequences of neglecting to comply with these regulations, or with any precaution that may be required by the normal practice of seamen or the particular circumstances of the case.

**Article 117:** In construing and complying with the rules set forth in this chapter, due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the vessels involved, which may make departure from said regulations necessary to avoid imminent danger.

**Chapter IX**

**Dangerous Cargo  
Section One**

**General provisions, classification, and inspection**

**Article 118:** Warships or auxiliary vessels, as defined in the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, shall not be subject to the rules relative to the transportation of dangerous cargoes contained in these regulations.

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**Article 119:** On the subject of dangerous cargo, reference to codes, international conventions, or other regulations, shall also be deemed to refer to any amendment or addition thereto on the date, or after the date when said amendments or additions become effective.

**Article 120:** Dangerous cargo shall be classified in accordance to IMO regulations on such matter.

**Article 121:** All vessels carrying dangerous cargo shall test their alarm and safety devices, as well as all their firefighting systems, 24 hour prior to arrival in Canal waters, according to the following:

1. An entry shall be made in the vessel's log stating that all alarm and safety devices were tested, and that all firefighting systems were found to be in proper working order and conditions; and, if not, a detailed listing of deficiencies found shall be included.
2. The vessel's log shall be made available for inspection by the Authority. Any malfunction or deficiency observed shall be entered in the log.
3. While the vessel is in Canal operating waters, fire hoses with their nozzles attached shall be connected to the outlets or water takes, and they shall be sufficiently long so as to reach all parts of the vessel.

**Article 122:** The Authority shall be able to inspect vessels carrying dangerous cargoes to ensure compliance with all requirements set forth in these regulations.

## **Section Two**

### **Dangerous Cargo in Bulk**

**Article 123:** The provisions in this section shall exclusively apply to vessels carrying gases, liquids, or solids in bulk, including direct reduced iron, or tankers that are not gas free.

Transportation of this cargo shall be subject to the requirements for notification prior to vessel's arrival, documents submittal, forbidden merchandise, and restrictions established herein.

**Article 124:** The Authority shall be provided, 96 hours in advance of arrival, the required information, pursuant to the provisions of Article 41 of this Regulation.

**Article 125:** Vessels carrying dangerous cargo shall meet the anchoring, signals, transit, and cargo requirements, as well as the standards established in the IMO conventions and codes on the subject, as follows:

#### **1. Anchoring Requirements:**

- a. Vessels shall communicate with the signal stations at Flamenco Island or Cristobal, as the case may be, and await instructions before anchoring.
- b. The Authority shall give instructions for vessels to anchor in one of the anchorage areas designated for vessels carrying dangerous cargo at the Atlantic or Pacific entrance, as the case may be, as described in Chapter III of this Regulation (Vessel Arrival and Anchorage).

#### **2. Signal Requirements:**

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Vessels shall display the flags and lights described in rule 20 of article 114 of this Regulation.

### **3. Transit Requirements:**

- a. The Authority may impose additional operating restrictions on vessels carrying dangerous cargoes, as well as other requirements in addition to those established in international conventions and codes that regulate these matters.
- b. Prior to entering the locks, and when anchored or moored in Canal waters, these vessels shall have safety towing pendants readily available, fore and aft. Synthetic or natural fiber ropes or lines are not considered suitable for use as safety towing pendants.
- c. Vessels carrying liquefied gas in bulk shall be prepared to keep the deck above its cargo tanks, including their hatches, sprayed with a layer of water during their transit when thus required by the Authority.

### **4. Cargo Requirements:**

- a. The loading, handling, inspection, stowage, segregation, maintenance, and certification of dangerous bulk cargo shall be in compliance with the IMO rules and regulations.
- b. Vessels shall comply with any special requirements for carrying chemicals or liquefied gases in bulk as stated on their Certificate of Fitness.
- c. Vessels shall comply with the requirements established in their Document of Compliance with the Solid Bulk Code when carrying solid cargo.

### **5. Requirements Related to IMO Conventions and Codes:**

Vessels carrying dangerous bulk cargoes shall comply with the standards set forth in IMO conventions and codes mentioned below for reference, as the case may be:

- a. Vessels subject to this section shall comply with the provisions of MARPOL 73/78.
- b. Tankers carrying dangerous chemicals in bulk shall comply with the provisions of the Bulk Chemical Code, or the International Chemical Carriers Code.
- c. Gas carriers shall comply with the requirements of the Gas Carrier Code, or with the International Gas Carrier Code.
- d. Solid bulk carriers shall comply with the Solid Bulk Code.

**Article 126:** Vessels subject to the provisions in this section shall:

1. Submit a cargo manifest or stowage plan, as described in item 5 of article 41 of this Regulation.
2. Make available to the Authority, as described in article 41 of this Regulation, the following certificates:
  - a. A valid MARPOL 73/78 Certificate (International Oil Pollution Prevention Certificate).

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b. A Compliance Document to certify that all special regulations for vessels carrying dangerous cargo have been complied with.

c. A valid Certificate of Fitness (required only from bulk chemical and liquefied gas carriers).

d. Should any of the above certificates be invalid, the latest issue on board the vessel shall be examined, plus information provided regarding when the certificate will be renewed.

**Article 127:** Unstable substances or explosives substances in bulk which are excessively sensitive or so reactive as to be subject to spontaneous reaction, are prohibited in Canal waters.

**Article 128:** Cargo not listed in the following codes: Bulk Chemical Code, International Chemical Carrier Code, Gas Carrier Code, International Gas Carrier Code, or the Bulk Cargo Code, as the case may be, is prohibited in Canal waters unless advance approval is given by the Authority.

**Article 129:** Bulk chemical and liquefied gas carriers are prohibited to navigate Canal waters carrying dangerous cargoes not listed in their fitness certificate, unless approval is requested 30 days in advance, and permission to do so is granted by the Authority.

**Article 130:** It shall not be necessary for the Certificate of Fitness to list any of the chemicals listed in chapter 7 of the Bulk Chemical Code or in chapter 18 of the International Chemical Carriers Code.

**Article 131:** Vessels carrying *direct reduced iron* in any of its forms shall comply with all the requirements established in all IMO conventions and codes on the subject, as well as the cargo requirements referred to in Article 125 herein, the Bulk Cargo Code, and be required to provide the following documentation:

1. Copy of certification that *direct reduced iron* is suitable for loading.
2. Copy of certification that *direct reduced iron* conforms to IMO requirements.
3. Statement from the master or charterer that IMO precautions as listed in the IMO “Code of Safety Practices for Solid Bulk Cargoes” for cold or hot molded briquettes have been followed.
4. Copy of procedures to be followed by the vessel to ensure safety of both vessel and cargo in the event the cargo gets wet.

### **Section Three**

#### **Dangerous Packaged Goods**

**Article 132:** The transport of dangerous packaged goods shall be subject to requirements on notification prior to vessel’s arrival, documentation submittal, forbidden cargo, and restrictions herein.

**Article 133:** Vessels carrying dangerous packaged goods shall meet the requirements regarding anchoring, transit, and cargo, as well as those set forth in IMO’s conventions and codes on the subject, as follows:

#### **1. Anchoring Requirements:**

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- a. Vessels subject to the provisions of this article shall communicate with the signal stations at Flamenco Island or Cristobal, prior to arrival in Canal waters, and await instructions before proceeding to the anchorage area.
- b. Such vessels will be instructed to anchor in one of the designated anchorage areas, as described in items 1 and 3 of article 48 of this Regulation.
- c. Vessels carrying explosives or large amounts of especially reactive dangerous materials, as determined by the Authority, may be instructed to anchor in one of the anchorage areas designated for vessels carrying dangerous cargo described in Article 48 of this Regulation.

## **2. Requirements Related to IMO Conventions and Codes:**

A vessel subject to the requirements of this article shall also comply with the standards set forth in the SOLAS Convention and the IMDG Code pertaining to the construction, maintenance, inspection, certification, and classification of the vessel, its safety equipment, including alarms, and cargo stowage and handling systems.

## **3. Transit Requirements:**

The Authority shall determine additional applicable restrictions for vessels carrying or keeping residues of dangerous goods on board.

## **4. Cargo Requirements:**

The loading, packing, labeling, marking, handling, stowage, segregation, maintenance, inspection, and certification of dangerous packaged goods shall be done in compliance with the IMDG Code.

**Article 134:** Pursuant to Article 41 of this Regulation, vessels shall send all required information to the Authority at least ninety-six (96) hours prior to their arrival in Canal waters.

**Article 135:** A vessel carrying dangerous packaged goods in bulk shall submit its Dangerous Cargo Manifest, which shall indicate the correct technical name of the cargo, the corresponding United Nations classification number, the corresponding IMO classification and division, the exact cargo location, and the amount, in metric tons, of each dangerous product carried as cargo.

**Article 136:** It is prohibited to carry dangerous packaged cargo in Canal waters that is not carried in compliance with IMDG Code provisions.

**Article 137:** Vessels carrying dangerous packaged goods shall comply with the provisions of MARPOL Convention 73/78, as well as with SOLAS Convention's special provisions contained in the Document of Compliance for vessels transporting dangerous goods. The vessel shall maintain the certifications established in both of these conventions on board and shall make them available for revision when required by the Authority.

**Article 138:** Explosives may only be loaded or unloaded for the use of the Authority in areas the latter may designate therefor.

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**Article 139:** The Authority may authorize unloading explosives at its docks and other locations within Canal waters in case of emergency, or when the type or the packaging of such explosives permits their safe discharge at no risk in a determined point.

#### **Section Four**

##### **Requirements for Vessels with Radioactive Materials**

**Article 140:** Vessels carrying radioactive material (*Class 7*) shall comply with the requirements established in the IMO conventions and codes, and those for goods referred to in Article 133 of this Regulation, as well as with the provisions of IMDG Code.

**Article 141:** With regard to the transportation of radioactive substances, Canal waters shall be considered as country en route for the purposes of prior notification and vessels permit to transit carrying radioactive substances, except for vessels that moor in any of the ports located in Canal waters.

**Article 142:** When seeking to transit Canal waters carrying fissionable radioactive material, vessels shall request the Authority's approval 30 days prior to their arrival in Canal waters.

Additionally, such vessels shall notify the Authority of their arrival no less than 96 hours ahead of their arrival in Canal waters.

Vessels carrying non fissionable radioactive material shall provide the Authority with information on other radioactive materials on board within the term established in Article 43 herein.

**Article 143:** No bundle, object, container, or receptacle containing or contaminated with radioactive material, nor any accessory or attachment thereto, shall weigh over 150 metric tons.

**Article 144:** Vessels carrying radioactive material shall submit recent documentation proving their economic solvency to indemnify the Republic of Panama, the Authority, or third parties for the damages or losses resulting from accidents involving the radioactive material they carry.

**Article 145:** Vessels carrying radioactive material shall provide the Authority with copies of the reports on the cargo's external radiation, as soon as the respective measurements are completed. Said measurements shall be performed according to IMDG Code's Class 7 requirements.

#### **Section Five**

##### **Vessel Contingency Plans for Oil Spills in Panama Canal Waters**

**Article 146:** Vessels arriving in Canal waters for transit or proceeding to port facilities in Canal waters, and are within the categories indicated by the Authority, shall comply with the requirements set forth in Article 41 herein and submit the following documentation for verification and approval:

1. A legible copy on the English language of their valid Panama Canal Shipboard Oil Pollution Emergency Plans (PCSOPEP), specifically prepared for that vessel.
2. A valid copy of their International Oil Pollution Prevention Certificate (IOPP) (if applicable, pursuant to the type and capacity of the vessel).

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3. A valid copy of their International Pollution Prevention for the Transportation of Hazardous Liquid Substances in Bulk Certificate (IPP).
4. A copy of their Shipboard Oil Pollution Emergency Plan (SOPEP), as established in MARPOL Annex I.
5. A copy of their Shipboard Marine Pollution Emergency Plan (SMPEP), as provided for in MARPOL Annex II.

**Article 147:** The PCSOPEP shall be developed by individuals or organizations with experience in oil spill response actions and cleanup, that comply with the following requirements:

1. Be able to submit proof that the individual or organization has experience in developing contingency plans for marine oil or other hazardous substances spills.
2. Be able to submit a listing of contingency plans for marine oil or other hazardous substances spills prepared by such individual or organization.
3. Be able to submit a training profile or proof of knowledge and skills in this type of task.

The Authority may request, at any given moment, written proof of these requirements from the individual or organization that prepare such plans or from the shipowner or operator which is submitting the PCSOPEP.

**Article 148:** The Authority shall communicate, by way of Notices and Advisories to Shipping, the requirements and procedures of the Panama Canal Shipboard Oil Pollution Emergency Plans (PCSOPEP), which shall contain, as a minimum, the following:

1. A description of the crew training program for the response to shipboard oil spills and at shore installations.
2. A specific description of the measures of prevention for this type of incident in Canal waters and installations.
3. An incident notification procedure.
4. A procedure to respond to this type of incident.
5. A record of the results of periodic simulations, of response actions of the crew, and their response to previous actual incidents.

Identity of the Authorized Person, who shall be domiciled in the Republic of Panama. This person shall serve as their liaison with the Authority and shall have the power to manage and post, on behalf of the vessel, a guarantee acceptable to the Authority, for the payment of all costs incurred by the Authority as a result of the spill response and cleanup actions.

**Article 149:** The PCSOPEP shall be submitted to the Authority for its review and approval, no later than 96 hours prior to the vessel's arrival in Canal waters. The Authority may indicate its observations to the PCSOPEP within said period.

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Vessels shall comply with these observations and resubmit the corrected PCSOPEP to the Authority.

Those vessels whose documentation has already been reviewed and approved by the Authority, shall only be required to show it during routine inspections by Authority personnel.

**Article 150:** Vessels shall be held responsible for the effectiveness of their PCSOPEP. Given that, and for the purpose of procuring the effectiveness of the PCSOPEP, vessels shall have to:

1. Submit to the Authority for its review any updates and changes to the Response Plan, including any changes in designation of the Authorized Person or its alternate.
2. Maintain available for review by the Authority, all vessel logs of drills, authorized person notification exercises, response to actual incidents, and ship crew training conducted.
3. Participate, upon request by the Authority, in PCSOPEP activation and emergency response exercises and drills conducted by the Authority.

**Article 151:** The Authority shall fix a tariff to be charged to vessels indicated in the categories established for such purpose, to cover the cost of maintaining the availability of personnel and equipment to respond to oil spills from vessels transiting or awaiting to transit the Canal.

The established tariff shall be without prejudice to the collection of the costs incurred by the Authority with regard to oil spill response and cleanup actions, which shall be guaranteed by the vessel, pursuant to the provisions of Article 5 of this Regulation.

**Article 152:** A vessel involved in an oil spill while transiting or awaiting transit, or heading to or departing from port facilities in Canal waters, shall activate its PCSOPEP and immediately notify such incident to the Authority and to the Authorized Person indicated in its PCSOPEP.

The Authority shall be exclusively in charge of responding and cleaning up oil spills from vessels in Canal waters.

The Authorized Person indicated in the PCSOPEP shall be domiciled in the Republic of Panama, serve as liaison with the Authority, and have the power to manage and post, on behalf of the vessel, a guarantee acceptable to the Authority for the payment of all costs incurred by the Authority resulting from the spill response and cleanup actions.

**Article 153:** Should an oil spill occur in Canal waters from a vessel to which the provisions of the PCSOPEP are not applicable, the response to such incident will correspond to the Authority. However, the vessel where such incident occurs shall be responsible for providing the initial response.

## **Chapter X**

### **Security Regulations Applicable to Vessels in Panama Canal Waters or Installations**

**Article 154:** The security requirements of the Authority contained in this chapter shall apply to all vessels that arrive in Canal waters, for the purpose of proceeding to their anchorages or port facilities located in Canal waters, or of transiting the Panama Canal. These requirements shall equally apply to vessels conducting commercial activities in Canal waters.

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**Article 155:** Any vessel flying the flag of a country that is not a signatory of the SOLAS Convention, any vessel with less than 500 registered gross tons, and any vessel belonging to and operated by a state that is a signatory to the above mentioned Convention that is solely used for government non-commercial service, shall provide proof that it has implemented security measures on board equivalent to those required by the ISPS (International Ship and Port Facility Security) Code.

**Article 156:** A vessel that fails to comply with the security requirements contained in this chapter shall be subject to the control and compliance measures the Authority may determine. Applicable measures may include the assignment of additional resources at the vessel's expense and a more thorough inspection, which may result in a delay or denial of the vessel's transit.

**Article 157:** A vessel on an international voyage and underway to the Canal shall, at least ninety-six (96) hours prior to its arrival:

1. Inform the Authority about its intentions to proceed to a Canal anchorage, transit the Canal, or call at port facilities located in Canal waters.
2. Report the security level at which the vessel is currently operating, according to the ISPS Code.
3. Confirm that it holds a valid International Ship Security Certificate (ISSC).
4. Provide the Authority with the details of the last ten (10) port calls it made, as well as the security level under which the vessel operated at each of one of these port calls.
5. Report any special security measures implemented during the the abovementioned port calls.
6. Confirm whether the appropriate security measures were maintained during ship-to-ship activities during the period covering its previous ten (10) calls at port facilities.
7. Identify the port of destination upon departing Canal waters.
8. Provide the Authority with the crew list the time of transiting the Canal, which shall include full name, type and number of the personal identification document, date of birth, nationality and post for each crewmember aboard the vessel.
9. Provide the Authority with a passenger list aboard the vessel while transiting the Canal, including the full name, type and number of the personal identification document, date and place of birth, and nationality of each passenger.
10. Provide the Authority with a general description of the cargo on board.

Any vessel whose voyage time from her last port of call prior to entering Canal waters is less than ninety - six (96) hours shall provide to the Authority, immediately after departing said port, the information indicated in this Article. In the event there have been any changes in the information previously provided, the vessel must update the required information prior to its arrival in Canal waters.

**Article 158:** Yachts and small craft on local or international voyages shall report the following information to the Authority through the signal stations at Flamenco Island or Cristobal upon reaching a distance not less than 12 nautical miles from the sea buoys at both ends of the Canal:

1. Name of the yacht or small craft.
2. Type and service of the yacht or small craft.
3. Dimensions.
4. Flag of registry.
5. The last ten port calls prior to its arrival at the Canal and next destination.

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6. A crew list as it was at the time of transiting the Canal, which shall include full name, type and number of the personal identification document, date of birth, nationality and post of each crewmember aboard the vessel.
7. A list of the passengers aboard the vessel at the time it transits the Canal, which shall include full name, type, and number of the personal identification document, and the date and place of birth and nationality of each passenger.
8. Its purpose for entering Canal waters.

**Article 159:** A vessel in Canal waters shall keep a security level equal to or higher than the security level of the Canal.

Prior to the vessel's arrival in Canal waters, the Authority shall inform the vessel of the current security level of the Canal, in order for the vessel to adjust its own security level, in case it is operating at a security level lower than that of the Canal.

**Article 160:** A vessel arriving in Canal waters shall establish and identify access points on the vessel with an efficient access control procedure.

**Article 161:** The control procedure for access to or from the vessel shall allow an expeditious handling of the embarkation and disembarkation of duly identified Authority personnel. At no time may this procedure affect the safe navigation in Canal waters.

Any delays caused to a vessel caused by the control procedures at its points of access shall be taken into consideration for the scheduling of its Canal transit.

**Article 162:** The Authority shall be notified immediately upon the discovery of an incident in which a crew member or any other person on board jumps from a transiting vessel into Canal waters, at the locks, or at any other structure or equipment of the Authority.

Such a person shall be taken into the custody of the Authority, which shall be responsible to communicate with the vessel's agent, who shall return the person back to the vessel or turn him/her over to the competent authorities.

## **Chapter XI** **Offenses, Sanctions, and Sanctioning Proceedings**

### **Section One** **Offenses**

**Article 163:** The following intentional or culpable actions or omissions constitute violations against Panama Canal navigation safety rules, and are classified as those related to maritime safety and those related to the pollution of its waters:

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### **Maritime Safety**

1. Any particular activity not authorized by the Authority that impairs, delays, stops, obstructs, or otherwise prevents navigation or operation of vessels in Canal waters or locks operations or constitutes a risk for such activities, whatever means were used for it.
2. Failure to provide the information that must be reported prior to or upon arrival of a vessel in accordance with the regulations or at the request of the Authority, or providing such information incorrectly, deficiently, or falsely.
3. Failure to submit the documentation required by the Authority, or providing inaccurate documentation.
4. Commencing navigation in Canal waters without informing the Authority of any non-compliance by the vessel of its navigability conditions, as required by this Regulation. This offense is also incurred whenever the vessel has any damage that may affect the navigability conditions of the vessel, and this is not reported immediately to the Canal pilot.
5. Failure to comply with the regulations, orders, or instructions issued by the Authority relative to maritime operations within the scope of the functioning of the Canal.
6. Failure to comply with the regulations regarding the prohibition to conduct operations for the loading and unloading of goods or the embarkation or disembarkation of passengers or persons aboard the vessel under the vessel's responsibility, its master, officers, shipowner, charterer or operator, without prior and express authorization of the Authority.
7. Failure to comply with the regulations and instructions regarding the shipping, handling, or stowage of dangerous cargo; or concealment of the cargo's dangerous nature.
8. Failure to comply with Authority regulations or instructions on the handling and provisions on small craft in Canal waters, including recreational craft or those otherwise engaged. The operation of any appliance, equipment, or device, the operation of which may constitute a risk to the safety of navigation, according to the criterion of the Authority.
9. The dismantling or disabling of a vessel's engines or rendering them inoperative, or abandoning or destroying vessels in Canal waters.
10. Failure to comply with the rules relative to maritime safety in Canal waters as set forth in international codes, conventions, and treaties of which the Republic of Panama is signatory.
11. Failure to comply with the security regulations contained in this Regulation applicable to vessels in Canal waters and facilities.
12. Navigation that exceeds the safe speed, as defined in this Regulation; as well as the unauthorized navigation of any type of vessel, small craft, or artifact destined for transportation, fishing, or recreation in Culebra Cut, Miraflores Lake, at less than two (2) nautical miles from lock approaches, in the Canal channel, anchorages, or in any other area with a restricted access as designated by the Authority. This

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offense does not apply to the perpendicular crossing of the channel while following the pertinent procedures and authorizations.

13. The practice of sports such as water skis, jet skis, windsurf boards, aquaplanes or similar devices; or swimming, diving, net fishing or any other activity not previously, or expressly authorized by the Authority in Culebra Cut, Miraflores Lake, at less than two (2) nautical miles from lock approaches, in the Canal channel or anchorages, as well as in any other area under restricted access as designated by the Authority.

14. Navigating without the required signal systems that allow the location and permanent sighting of a vessel.

15. The use of unauthorized acoustic signals.

16. Carrying weapons, devices, or illegal or hazardous substances without the prior and express authorization of the Authority.

17. Failure to comply with the duty of reporting any incident that endangers the safety of navigation.

#### **Pollution of Canal Waters**

1. Any activity that implies a risk of, or results in, pollution of the waters within Canal waters.

2. Failure to comply with the rules or prohibitions set forth in Authority regulations, as well as international codes, conventions, and treaties relative to the prevention and pollution of the waters.

3. Dumping solid, liquid, gaseous products or other substances in Canal waters. The discharge into the waters or the ground of liquids from floating or fixed installations that comes from water treatment plants in compliance with the rules of the Authority and the Republic of Panama regarding discharges in lake or ocean waters, as applicable, shall not constitute an offense, nor do the discharges from the water treatment systems of the floating equipment of the Authority.

4. Failure to immediately report to the Authority any accidental discharge or spill into Canal waters of solid, liquid, gaseous, or hydrocarbon products, except in the case of liquid discharges from floating or fixed installations into waters or the ground coming from water treatment plants that do comply with the rules of the Authority and the Republic of Panama relative to discharges into lake or ocean waters, as applicable, or the discharges resulting from the water treatment systems of Authority floating equipment.

5. Carrying out repairs, cleaning, or other activities capable of resulting in pollution, without the authorization of the Authority.

6. Any other actions or omissions not included in the above items that violate the rules relative to the prohibition of polluting Canal waters, as set forth in the Sanitation and Prevention of Contagious Diseases Regulation and other regulations of the Authority.

**Article 164:** Any intentional or culpable actions or omissions not covered by the previous article in violation of the procedures, prohibitions, orders, instructions, or authorizations issued by the Authority

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and communicated to vessels, facilities, and third parties, shall also constitute offenses against the rules for the safe navigation in Canal waters.

**Article 165:** The procedure for the sanctioning of violations of the rules for the safe navigation in Canal waters shall be applied to any conduct described in this chapter as constituting offenses incurred by a vessel, its owner, operator, master, officers in charge, its crew members or passengers, as well as by national or foreign natural or juridical persons not directly related with the operation, functioning, and transit of the vessel.

The sanctions and sanctioning proceedings covered by this chapter shall not apply to the actions or omissions caused by the Authority or by its personnel in the exercise of their duties.

Whenever a vessel shows deficiencies that have been reported to the Authority and the vessel is authorized to transit or navigate in Canal waters, the vessel shall not be sanctioned for the reported deficiency.

**Article 166:** Sanctions shall be imposed by the Administrator, or by the party he may designate expressly for such purpose, without prejudice to the corresponding civil and criminal liabilities.

**Article 167:** Offenses shall be ranked by the Authority as not serious, serious, or very serious, considering the following aspects and including, but not limited, to the following aspects:

1. The extent of the damage caused, taking into account whether the offense represented any risk or danger to the Canal operation, personnel or property of the Authority, third parties or environmental damages.
2. The nature of the offense and its greater or lesser seriousness.
3. The consequences of the offense.
4. The circumstances of manner, time, and place as they affect the incident or omission being investigated, and how they relate to the offense.
5. The actions taken by the offender to mitigate the damage.

## **Section Two Sanctions**

**Article 168:** Subject to the procedures established in this chapter, the sanctions imposed shall consist of fines.

The range of the fines shall be as follows:

1. Not serious offenses, fines of five hundred Balboas and up to fifty-thousand Balboas (B/.500.00 – B/.50,000.00).

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2. Serious offenses, fines of fifty-thousand and one Balboas and up to five hundred thousand Balboas (B/. 50,001.00 – B/. 500,000.00)

3. Very serious offenses, fines of five hundred thousand and one Balboas and up to one million Balboas (B/. 500,001.00 - B/. 1,000,000.00).

**Article 169:** In order to determine the amount of the fine, due consideration shall be given to the proportion between the seriousness and significance of the offense and the punishment applied, with special consideration of, but not limited to, the following criteria:

1. Whether the offender is a natural or a juridical person.
2. Whether the offense was ranked as not serious, serious, or very serious.
3. The means, object, time, place, and any other characteristics of the action or omission being investigated.
4. Whether the action or conduct was intentional or due to serious or not serious negligence.
5. The nature and magnitude of the damage, danger, or risk involved.
6. The recurrence of an offense of the same nature within a period of two (2) years.
7. That committing the offense does not result in more benefit to the offender than compliance with the breached rule.
8. The consequences of the offense.
9. The efforts to mitigate the damage or harm caused, or the omission of actions intended to mitigate the damage.
10. The intention of hiding or concealing the damage or harm caused.
11. The existence of grounds attributable to the Authority that could have contributed to the occurrence of the offense or damage.
12. Other factors under the present Regulations, without prejudice to any civil or criminal liabilities or those of another nature that may correspond.

**Article 170:** The liability for the offenses against navigation safety results from the non-compliance with the rules, regulations, orders, or authorizations of the Authority, incurred by the shipowner, operator, master, officers, crewmembers, or passengers. In these cases, the master of the vessel or the officer in charge shall be liable for the offense, jointly with the shipowner and the operator.

The same liability ensues in the case of natural or juridical persons, domestic or foreign, not directly related to the operation, functioning, or transit of vessels who incur in the conduct described in the above paragraph. In these cases, when natural persons incur in offenses while acting on behalf of the juridical person to which they belong or represent, both shall be jointly liable for the offenses incurred.

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The resulting joint liability for the commission of an offense includes the payment of a fine and the costs incurred, as well as the damages that may arise from the commission of such offense.

**Article 171:** The determination and quantification of damages the offender has caused to the Authority, as well as the costs the Authority may incur as a result of the offense and its response to, or mitigation of, the damages, shall be made by means of a settlement to be claimed by the Authority in a separate file.

The Authority shall claim for payment the total amount resulting from the quantification of damages caused by the offense or related to same, from the party that has been sanctioned for committing the offense, and the parties who are jointly liable for it.

A defendant in a claim for the payment of the damages and costs incurred by the Authority as a result of, or related to, the commission of the offense, its response and the damage mitigation, may challenge the claimed amount by filing an administrative appeal for reconsideration, as established in the Regulations regarding the general administrative procedure of the Authority.

**Article 172:** -The Authority may reduce the fine imposed by one third in the following cases:

1. **Under a simplified proceeding:** When the offender accepts in writing the sanctioning resolution upon being notified of same, or within five (5) working days following its notification.
2. **Under a simplified proceeding for failing to present to the Authority its PCSOPEP:** Upon receiving a notice of Non-Compliance, and up to five (5) working days following the notification of a sanctioning resolution, the authorized shipping agent or vessel representative accepts the facts without submitting grounds for exclusion from liability and expressly declares its acceptance of the sanctioning resolution that is being issued, or has been issued, and posts the corresponding letter of guarantee.
3. **Under an ordinary proceeding:** The offender, upon being notified about a resolution to open the process and once the period for the submission of evidence expires, accepts in writing that the offense was committed and posts the corresponding guarantee of payment to the satisfaction of the Authority. On the basis of its acceptance of an admission of committing the offense, the Authority shall summarily proceed to issue a sanctioning resolution with a reduced fine.

Notwithstanding the above, the amount of the fine may be reduced by one fifth if the offender, upon being notified about the sanctioning resolution or within three (3) working days following the date of its notification, accepts the resolution in writing, and does not select the option described in the previous paragraph.

### **Section Three Sanctioning Proceedings**

#### **General**

**Article 173:** Whenever an administrative unit of the Authority learns about an incident that may constitute an offense, it shall document the circumstances under which the facts occurred; the mitigation

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measures applied; the scope of the damage or effect caused to the Authority and its personnel, to third parties, and to the Canal and its operation; as well as the measures taken to identify the alleged offender.

The administrative unit may request support from units in charge of response, inspection, and case investigation duties.

Upon identifying an alleged offender, the administrative unit shall submit all the information and documentation collected to the designated Substantiating Commissioner. The designated Substantiating Commissioner shall review the documentation and make a recommendation to the Administrator, or to the party to whom the Administrator may expressly delegate the authority to decide whether or not to open a sanctioning proceeding.

If there are any indications that the incident has been caused by a vessel, the administrative unit that became aware of it shall report it to the Administrator or to the party to whom the authority to sanction has been delegated, in order to require that the vessel post a guarantee satisfactory to the Authority before its departure from Canal waters.

The designated Substantiating Commissioner shall be responsible for the sanctioning proceeding, as well as for submitting to the Administrator or to the person to whom the sanctioning authority has been delegated, a proposal for a sanctioning resolution, its notification, and the processing of the appropriate resources.

**Article 174:** In the event the administrative unit does not find any evidence that the incident constitutes an offense, or is unable to identify an alleged offender, a certification for the record shall be made in writing describing the information collected, the reason why the incident did not constitute an offense, or the reason why it was not possible to identify the party alleged to be responsible for the incident; and then it shall proceed to close the case.

**Article 175:** The sanctioning proceeding shall be started ex officio by the Authority and processed until it is completed according to the principles of procedural economy, expediency, efficiency, process simplification, and impartiality.

**Article 176:** Once the documentation of the administrative unit and the recommendation of the designated Substantiating Commissioner are received, the Administrator or the party to whom the authority has been delegated to issue a sanction shall evaluate this information and decide whether or not to open a sanctioning proceeding, and what shall be the type of process to be followed.

In the event a sanctioning proceeding is started, the evidence collected by the administrative unit shall be forwarded to the designated Substantiating Commissioner, who shall analyze it and, if deemed necessary, the designated Substantiating Commissioner shall advance with the investigation proceedings and order as many actions as may be required that may lead to a clarification of the facts and a determination of the liabilities.

The decisions issued by the designated Substantiating Commissioner are not appealable.

**Article 177:** A sanctioning proceeding may be summary or ordinary.

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#### **Section Four Summary Proceedings**

**Article 178:** When the designated Substantiating Commissioner deems that there are sufficient elements of judgment to classify the offense as not serious, the case shall be processed according to the summary proceeding established in this section.

**Article 179:** The simplified proceeding shall be conducted according to the following process:

1. The designated Substantiating Commissioner shall prepare a document for the record containing the facts that presumably constitute an offense, the information available about the alleged offender, the evidence and information collected by the administrative unit to accredit the incident, and the connection of the alleged offender to the incident. Likewise, this record shall also state the violation that was presumably committed and what was the basis for classifying it as not serious, as well as the identification of the alleged offender.

2. On the basis of the record and the evidence collected, the Administrator, or the party to whom the authority to assess a sanction has been delegated, shall resolve the case by means of a presentation of the proven facts, the evidence relative to the liability of the alleged offender, the provisions violated and/or the exclusion of liability, as the case may be. Likewise, the decision section of the sanctioning resolutions shall contain the supporting elements that were taken into account for the application of the fine.

**Article 180:** The sanctioning resolution shall be notified to:

1. The party responsible for the vessel or its authorized shipping agent, if their services were used to process its visit to Canal waters.

2. The owner of the vessel, if its visit to Canal waters was processed by the owner.

3. The representative of the vessel, if a representative before the Authority has been appointed by the party responsible for the vessel or by the vessel for such proceeding.

Notifications and communications shall be conducted as established in this chapter.

A sanctioning resolution may be appealed by filing an appeal for reconsideration, as provided in this chapter.

#### **Section Five Simplified Proceedings for Non-Compliance with the Requirement of Submitting a Panama Canal Shipboard Oil Pollution Emergency Plan (PCSOPEP)**

**Article 181:** The sanctioning proceeding described below shall apply whenever a vessel fails to comply with its obligation to submit its Shipboard Oil Pollution Emergency Plan (known as PCSOPEP) to the Authority within 96 hours prior to its arrival in Canal waters:

1. Once a vessel arrives in Canal waters without submitting its PCSOPEP to the Authority, a notice of Non-Compliance with this requirement shall be issued by the Authority, stating that a fine shall be imposed upon the vessel and the amount of such fine. The notice of Non-Compliance shall be forwarded

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to the shipping agent or to the vessel representative by means of any of the notification and communication procedures established in this chapter.

2. A vessel may not proceed to ports in Canal waters or transit the Canal until its authorized shipping agent or representative for such port call submits to the Authority a letter of guarantee for the amount of the proposed fine. This letter of guarantee shall be signed by the legal representative of the vessel, the legal representative of the shipping agent, or the legal representative of the vessel for that call, who must be duly registered with the Panama Public Registry.

3. The vessel may benefit from a reduction of the amount of the fine, as established in this chapter, if the authorized shipping agent or representative of the vessel accepts in writing the imposition of the established fine, accepts the resolution being issued or that has already been issued, and submits a letter of guarantee not more than five (5) working days following the issuance of the sanctioning resolution.

The letter of acceptance of the imposition of the fine and the acceptance of the resolution must be signed by the legal representative of the vessel, the legal representative of the authorized shipping agent, or the representative of the vessel for that call, who must be duly registered with the Panama Public Registry.

4. The process ends with the issuance of a sanctioning resolution which applies the corresponding sanction. The authorized shipping agent, the representative of the vessel, or the legal representative of the shipowner, if it is a juridical person, shall be notified about this resolution according to the notification procedures established in this chapter.

### **Section Six Ordinary Proceedings**

**Article 182:** When it is deemed that there are sufficient elements of judgment to classify the alleged offense as serious or very serious, an unappealable resolution to open a proceeding shall be issued stating that the offense will be processed according to the ordinary proceeding described in this section.

**Article 183:** The resolution for the opening of an ordinary proceeding shall contain the facts presumed to constitute an offense, the circumstances of time and place, the information available about the alleged offender, the evidence and information collected by the administrative unit to accredit the incident, and the connection of the alleged offender to it.

Likewise, this resolution must explain the offense that was allegedly committed and the basis for classifying the offense as serious or very serious, as well as the identification of the alleged offender.

The designated Substantiating Commissioner may order or conduct ex officio investigations to collect as much evidence as possible that may allow the examination or dismissal of the charge of committing the alleged offense, as well as the alleged offenders.

**Article 184:** The resolution to open an ordinary proceeding shall include the following, at a minimum:

1. The identification of the alleged offender.
2. The facts that prompted the opening of the proceeding, the preliminary ranking of the offense, and the sanction that may correspond, without prejudice to the results of the investigation.

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3. The address of the designated Substantiating Commissioner for the purposes of the proceedings.
4. The legal provision that attributes competency, with an indication of the possibility that the alleged offender may voluntarily admit its responsibility, along with the effects set forth in this Regulation regarding a reduction of the fine.
5. Any temporary measures taken by the designated Substantiating Commissioner to secure the results of the investigation.
6. Information regarding a period of ten (10) working days, counted from the notification of the resolution, to allow the alleged offender to make defense allegations, or to present or submit evidence.

**Article 185:** The alleged offender or representative shall be notified regarding the opening of the proceeding in accordance with this chapter, with a warning that failure by the alleged offender to submit defense discharges within the period allowed by the resolution, shall be deemed as an indication against the alleged offender, and the case shall proceed with an imposition of the corresponding sanction or sanctions on the basis of the evidence and what was proven.

**Article 186:** The alleged offender shall have a period of ten (10) working days following the notification of the resolution that starts the sanctioning proceeding, to submit expressly and in writing defense allegations and evidence expressly indicating the evidences presented on his or her favor.

Any evidence that the alleged offender adduces in his or her defense that requires to be taken, must be taken and evaluated within the period established in this Regulation.

**Article 187:** The designated Substantiating Commissioner may open a period for the collection of evidence of not more than twenty (20) working days and not less than five (5) days, to examine the evidence submitted or claimed.

The designated Substantiating Commissioner may totally reject any manifestly inappropriate, irrelevant, or unnecessary evidence or that was not submitted within the period established in this Regulation, and shall certify in writing the reason for their rejection.

The designated Substantiating Commissioner shall only allow up to two (2) testimonies by each party about the same fact.

If no evidence that requires processing has been adduced, the evidentiary process shall not be opened.

**Article 188:** At least five (5) working days prior to the date set to start the processing of the evidence that has been submitted, the alleged offender, its authorized shipping agent, its representative, or the legal representative of the shipowner, shall be notified about its opening, along with information about its location, date, and time.

**Article 189:** In the event the examination of the evidence at the request of the alleged offender results in expenses incurred by the Authority that will require the assignment of Authority resources, the latter may request their payment in advance, on reserve from the final settlement.

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**Article 190:** Upon the expiration of the period to present allegations, adduce evidence and examine the evidence, the designated Substantiating Commissioner shall provide a proposal for a resolution. Such a proposal shall contain the facts, the claims of the alleged offender in his or her defense, and a detail of the facts deemed proven, if any. The evidence shall then be evaluated according to the rules of reasoned judgment.

If it is found that, according to this Regulation, an offense has been committed, the violated rule, and the responsible offender, whether it is a vessel or a natural or juridical person, shall be identified, as well as the proposed sanction and the legal basis applied to issue a resolution.

In the event the commission of an offense is not proven or no connection is found between the alleged offender and the act or omission that was the object of the investigation, the resolution section of the proposal of the resolution shall include a certification that the commission of an offense was not found and that there was no connection between the alleged offender and the action or omission that was the object of the investigation; whereupon the case shall be closed, and the alleged offender declared free from any liability with regard to the investigated facts.

The evidence shall be evaluated according to the principle of reasoned judgment, applying logic and experience to the accredited facts.

The designated Substantiating Commissioner shall provide a reasoned examination of the elements of the evidence on which the proposal for a resolution is based, explaining the evidentiary value of each element.

### **Section Seven Completion of the Ordinary Proceedings**

**Article 191:** The designated Substantiating Commissioner may order additional measures for the clarification of the facts prior to completing the preparation of the draft resolution to be forwarded the Administrator or to the party to whom the latter has delegated the power to decide the sanctioning.

Additional measures may be taken for the purpose of expanding the investigation and seeking a full and exact knowledge of the facts that resulted from, or are relative to, the sanctioning proceeding.

**Article 192:** The sanctioning resolution that completes the first instance of an ordinary proceeding shall consist of a reasoning part and a judgment part. This resolution shall decide on the facts, the proposed sanction, and the evidence and its basis, the allegations for the defense as claimed and submitted by the alleged offender, as well as any matters deriving therefrom.

1. The reasoning part shall contain:
  - a. The facts adduced by the Authority and by the alleged offender relative to the issue to be resolved.
  - b. An indication of whether the facts have or have not been proven.
  - c. A reference to the evidence on record and its relationship with what must be determined.

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- d. The reasons and legal basis deemed pertinent, citing the legal or regulatory provisions considered applicable, the offense committed and its seriousness.
  - e. The identification of the alleged offender and whether there is or not a connection between the alleged offender and the facts under investigation, as shown by the evidence on record.
  - f. The appropriate sanction, as the case may be.
2. The judgment part of the resolution shall contain the decision to be adopted on the basis of the facts proven during the process, as detailed in the reasoning part. It shall also contain any appeal recourse available, to whom it may be submitted, the office where it must be filed, and the legal term to do so.

**Article 193:** The proffered resolution shall become effective by the end of the following five (5) working days from its notification without having been appealed, as established in this chapter.

**Article 194:** The Authority may rectify at any time, ex officio, or at the request of the alleged offender or the offender, any material, factual, or arithmetical mistakes found in its actions and resolutions.

Arithmetical errors may be rectified at any point in the process, including those in executed resolutions, provided not more than thirty (30) calendar days have elapsed since their notification.

### **Section Eight Recourses for Appeal**

**Article 195:** The resolution issued at a sanctioning proceedings whereby a sanction for the violation of a navigation safety rule, may only be challenged by means of the following appeals:

1. An appeal for reconsideration to the Administrator of the Authority, when the amount of the fine assessed does not exceed five hundred thousand Balboas (B/. 500,000.00).
2. An appeal to the Board of Directors in full, when the amount of the fine assessed does not exceed five hundred thousand Balboas (B/. 500,000.00).

The offender, its authorized shipping agent, the shipowner, operator, master, or party holding a power of attorney to represent the offender, may file and support an appropriate appeal on the same document, within the five (5) working days following the notification of the sanctioning resolution.

This writ for the filing and substantiation shall be submitted to the Office of the Administrator, or to whom the latter may have delegated the power to sanction.

**Article 196:** In order to process a challenge through an appeal that has been filed, the Authority may issue in furtherance an ex officio order for the evaluation of new evidence or any evidence submitted timely but not yet examined, for which the Authority shall grant a term of not more than ten (10) working days.

**Article 197:** When deciding a filed appeal, as many issues of form or substance may be examined as required by the proceeding, whether they have been examined previously or not.

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**Article 198:** The resolution of a petition or appeal for reconsideration shall be notified as established in this Regulation, and once notified, the sanctioning proceeding shall be completed.

**Article 199:** The resolution that decides a challenge by means of an appeal may not impose more serious penalties than those established in the original decision.

### **Section Nine Notifications during Sanctioning Proceedings**

**Article 200:** All notifications and communications shall be forwarded to the latest address of the offender or of the representative or shipping agent authorized for the visit during which the incident or omission being investigated occurred, as has been provided to the Authority or is publicly listed.

In the event the notification of a sanction is not possible because the physical address is unknown, the resolution shall be considered as notified with the publication of a notification during five (5) consecutive days in a newspaper with circulation throughout the Republic of Panama, and this notification shall be deemed completed on the day following its last publication. The case record shall include a certification of said publications.

In the event offenses are committed on a vessel or by means of a vessel and there is no representative available within national territory, a copy of the sanctioning resolution may be posted at the bridge of the vessel, and the notification shall be deemed completed with such a posting at the bridge.

The notification shall state the subject issue, its date, and the judgment part of the resolution, as well as the appropriate means for an appeal.

If the resolution releases the alleged offender from liability and the Authority does not have the physical or electronic mail address of the alleged offender or its representative, the notification shall be considered as completed by posting an edict on a bulletin board at the offices of the designated Substantiating Commissioner during three (3) days, and the notification shall be deemed as completed upon its removal.

**ARTICLE TWO:** This Agreement supersedes Agreement N° 13 of June 3, 1999, whereby the Regulations for Navigation in Canal Waters, as well as all their amendments, were approved in all their parts.

**ARTICLE THREE:** This Agreement shall become effective upon its publication in the Panama Canal Registry.

**ARTICLE FOUR:** The Administrator of the Panama Canal Authority is authorized to publish and disseminate these regulations, including its notations and comments, using a different format for the purpose of facilitating its use by Panama Canal users.

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Agreement No. 360  
of December 12, 2019

Given in the City of Panama, on the twelfth (12) day of the month of December, of the year two thousand and nineteen (2019).

**TO BE PUBLISHED AND ENFORCED.**

Aristides Royo Sánchez  
ORIGINAL SIGNED

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Chairman of the Board of Directors

Rossana Calvosa de Fábrega  
ORIGINAL SIGNED

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Secretary