

AGREEMENT No. 99
(of May 26, 2005)

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

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

WHEREAS:

The Board of Directors of the Panama Canal Authority approved the Regulation on Navigation in Panama Canal Waters by means of Agreement No. 13 of June 3, 1999.

Chapter IX of said Regulation establishes the requirements for the transit of vessels carrying dangerous cargo.

Article 114 of the Annex establishes the classification and listing of the various types of dangerous cargo in accordance with International Maritime Organization (IMO) guidelines. Inasmuch as this organization’s classification was modified, hence the need for this update.

Article 136 of said Regulation establishes that, for purposes of prior notification and approval of radioactive substance cargo, the Authority shall act on the basis of the provisions of the IMDG Code; nevertheless, the Authority only grants or rejects authorizations for these types of transits through the Panama Canal; therefore, is cautioned that it is not the Authority who approves said shipment.

The Administrator of the Authority has submitted to the consideration of the Board of Directors the draft agreement setting forth the pertinent modifications in this matter.

AGREE:

ARTICLE ONE: Article 114 of the Annex to the Regulation on Navigation in Canal Waters is modified, and shall read as follows:

“**Article 114:** Dangerous cargo shall be classified according to the IMO’s indication on this matter.”

ARTICLE TWO: Article 136 of the Regulation on Navigation in Panama Canal Waters is modified, and shall read as follows:

“**Article 136:** Canal waters shall be deemed a country en route for the transportation of radioactive substances, for purposes of previous notification and authorization for the vessel to transit with said substances on board.”

ARTICLE THREE: This amendment shall take effect upon its publication in the Canal Register.

Given in the city of Panama, on the twenty-sixth day of the month of May of two thousand five.

TO BE PUBLISHED AND ENFORCED

Ricaurte Vásquez M.

Diógenes de la Rosa

Chairman of the Board of Directors

Secretary