

October 16, 2002

MR'S ADVISORY TO SHIPPING No. A-37-2002

TO : All Steamship Agents, Owners, and Operators

SUBJECT: Standards of Conduct During Marine Accident Investigations

1. The purpose of this Advisory to Shipping is to serve as a reminder of the standards of conduct required of the parties in interest that participate in marine accident investigations conducted by the ACP Board of Inspectors.
2. Articles 60 through 62 of Law No.19 of June 11, 1997, Organic Law of the Panama Canal Authority, charge the Board of Inspectors to conduct investigations of serious marine accidents occurring in Panama Canal waters. These investigations include a hearing whereby vessels and the Panama Canal Authority (ACP) participate as parties in interest with the right to obtain counsel of their own choosing, testify on their own behalf, call, examine and cross-examine witnesses and introduce relevant evidence into the record.
3. The investigative hearings are adversarial in nature and, accordingly the Board understands that a certain amount of confrontation among parties in interest is unavoidable. Nevertheless, the Board expects parties in interest that participate in those hearings to comport themselves with respect for constituted authority and for the rights of others and is prepared to take such action as necessary to ensure that this occurs and that its proceedings are conducted efficiently and with appropriate decorum. The attached standards of conduct are designed to achieve those goals. Furthermore, for purposes of good order, the prohibition against *ex parte* communications, which has existed in practice for many years, is also included in these standards of conduct.

ORIGINAL SIGNED

Jorge L. Quijano
Maritime Operations Director

[Attachment](#)