



Canada Shipping Act, 2001
Regulatory Reform Project
Canadian Marine Advisory Council



Fishing Vessel Safety Regulations
Spring 2009



Application of Regulations

- ❖ During this phase of Regulatory Reform, only fishing vessels less than 24 metres will be brought under the proposed *Fishing Vessel Safety Regulations* (includes vessels operating exclusively as fish packers or aquaculture vessels).
- ❖ In the future, fishing vessels 24 metres or more will be brought under Part 5 of the *Fishing Vessel Safety Regulations*.
- ❖ Vessels 24 metres or more, which operate exclusively as fish packers or aquaculture vessels will be not be regulated under the proposed *Fishing Vessel Safety Regulations* but will be treated as cargo vessels instead.





Current Status

- ❖ Consultation draft (with associated guidelines) distributed at Regional CMAC - Spring 2009
- ❖ Drafting Instructions have been submitted and drafting is about to begin
- ❖ Notes:
 - Performance based, with the use of Guidelines.
 - Includes requirements for design, construction, equipment and operation of fishing vessels.
 - Does not include personnel certification or training
 - Provisions for stability are under review (development of criteria for second level assessment of risk factors) and are not included in the document.



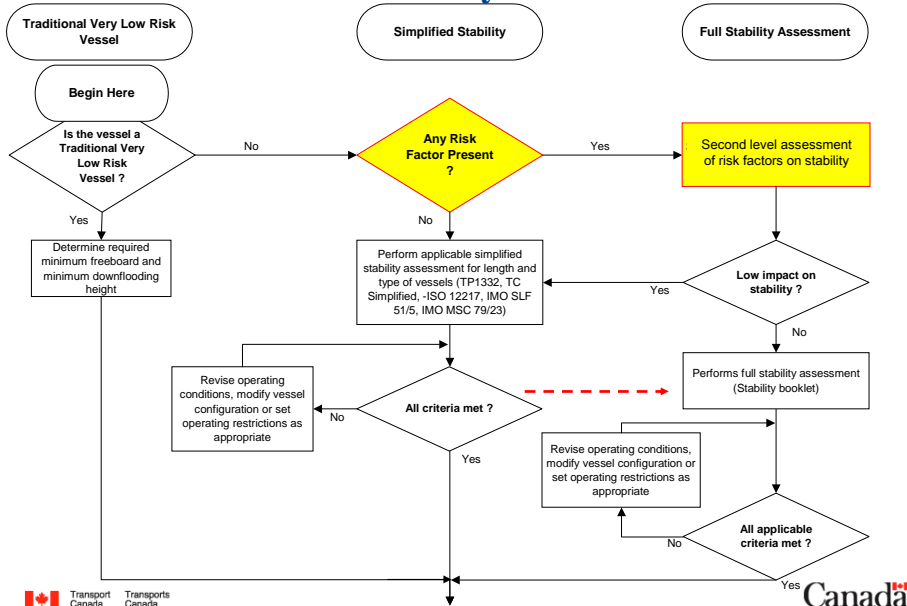
Use of “Guidelines”

- ❖ The proposed *Fishing Vessel Safety Regulations* package includes both regulatory requirements and “**Guidelines**”.
- ❖ Taken together, the requirements and **Guidelines** constitute the regulatory regime.
- ❖ **Guidelines:**
 - Indicate a recommended approach for achieving the required performance objective.
 - Other means may be used to achieve the same performance objective so long as they provide an equal level of safety, or strength, etc. as applicable.
 - If a vessel is built according to the Guidelines, it **will** meet the regulatory requirement.

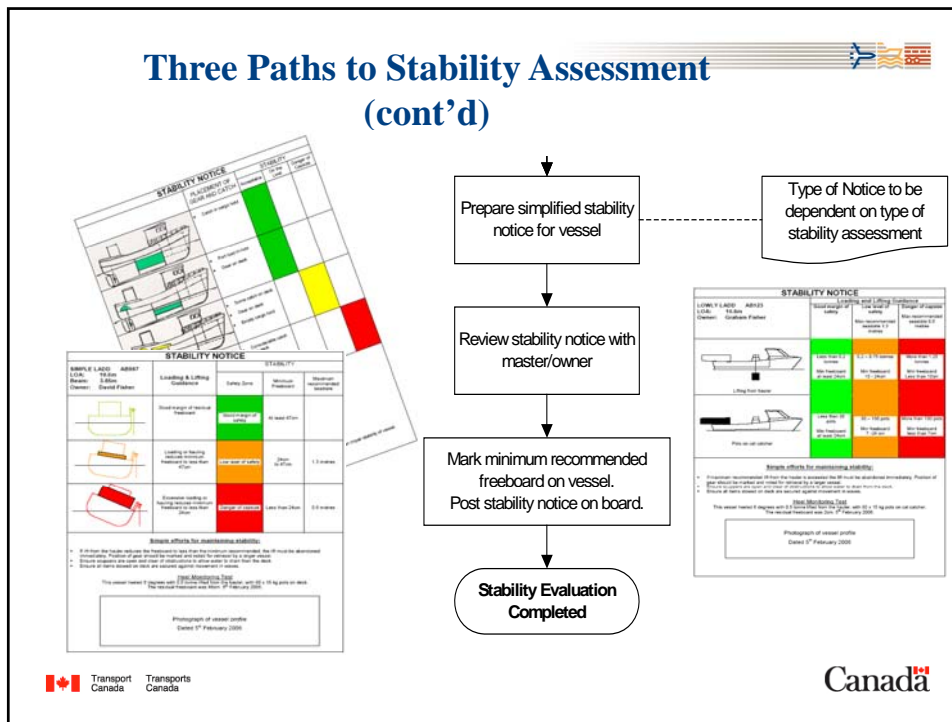
Cost/Benefit Analysis

- ❖ *Cabinet Directive on Streamlining Regulations* requires a cost/benefit analysis of the regulatory proposal.
- ❖ Being performed by Government Consulting Services (a division of Public Works and government Services Canada)
- ❖ Based on previous risk analysis performed by BMT Fleet Management

Three Paths to Stability Assessment



Three Paths to Stability Assessment (cont'd)

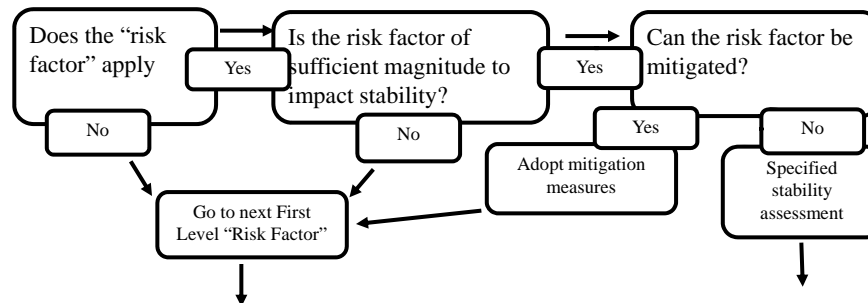


Second Level Assessment of Risk Factors

- ❖ Criteria for second level assessment of risk factors are under development
- ❖ Scope of project includes development of
 - options for mitigation,
 - secondary criteria and
 - processes for objectively assessing the impact of a risk factor on a vessel or operation.

Second Level Assessment of Risk Factor

This matrix is intended to represent a possible approach, not an actual proposal.



Traditional Very Low Risk Fishing Vessels

- ❖ Very low risk vessels
- ❖ The BMT Report recommended that several vessel populations be removed from the requirement for a full stability analysis:
- ❖ Transport Canada is looking into the possibility of similar treatment for other traditional types of vessels operating in a very low risk environment:
 - For example certain traditional lobster vessels or certain traditional gill netters when operating in the traditional fishery in the traditional area of operation.
- ❖ Some basic requirements will still apply (such as a recommended maximum operating draft, minimum downflooding height, together with particular vessel construction aspects to maintain seaworthiness).



Identifying Traditional Very Low Risk Vessels

- ❖ An evaluation tool will be developed to identify low risk vessels and operations.
- ❖ A group of vessels will be evaluated for level of risk with this tool and a score assigned.
- ❖ A request to identify a grouping of very low risk vessels would be initiated by group (association) for consideration by Transport Canada.
- ❖ Once identified, a low risk group would be required to operate in the low-risk manner identified in the application.
- ❖ Not applicable to single vessels, applications will be made for a group of vessels.
- ❖ Other single vessel owners could take advantage of the identification of a very low risk group, by demonstrating their similarity to the group and by agreeing to the operational limitations.



Proposed Stability Assessment and Acceptance Criteria

A fishing vessel required to undergo an assessment of stability shall do so in accordance with the following criteria/provisions of the Regulations:

- Part 2 vessels (<9m LOA) TP 1332 Part 4 –swamping, level flotation and stability test or Part 5-ISO 12217-1 or equivalent;
- Part 3 vessels (9m-15m LOA), Division 3, Stability and Associated Seaworthiness (choice of TC simplified, ISO or IMO criteria depending on risk factors); or
- Part 4 vessels, (15m-24m LOA), Division 3, Stability and Associated Seaworthiness (choice of Stab 4-TP7301 or IMO criteria depending on risk factors).



Proposed Compliance Schedule

Preliminary proposed compliance schedule for existing vessels subject to simplified or full stability assessment

Stability

Category of Navigation	Lower risk	Higher risk
Sheltered Waters	60 months	48 months
Near Coastal 2	48 months	36 months
Near Coastal 1	36 months	24 months
Unlimited	24 months	12 months

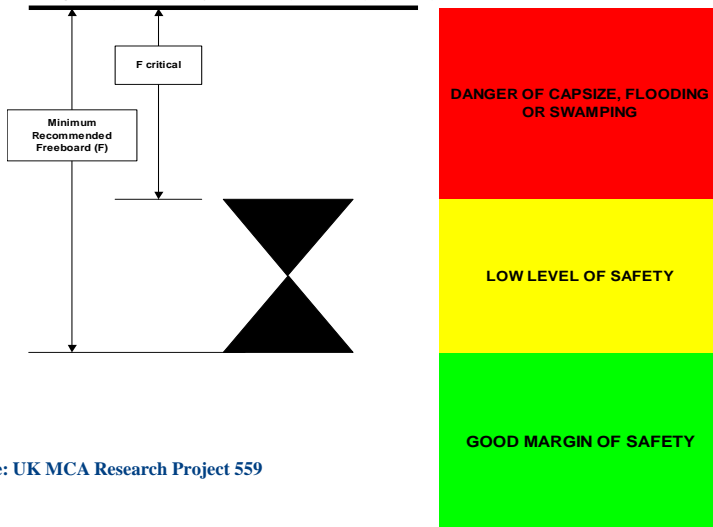


Minimum Freeboard and Maximum Load

- ❖ Every fishing vessel to be assigned a maximum load or minimum freeboard, to be marked on the side of the vessel.
- ❖ For vessels with a simplified stability assessment the position of the load mark will be the maximum recommended immersion (or load).
- ❖ For vessels with a full stability analysis the position of the load mark will be the maximum calculation immersion (or load) shown in the stability conditions.
- ❖ Load mark to be used as an awareness tool, therefore, observance of the mark will be “recommended”, not mandatory.
- ❖ The load mark is an opportunity for educating skippers and crews to the safe limits of their vessels.

Recommended Load Mark

Weathertight Deck (Closed & Partially Closed Vessels) or Gunwale (Open Vessel)



Source: UK MCA Research Project 559



Comments Questions?

Send them to

Kevin Monahan
Marine Safety Transport Canada
Regulatory Services and Quality Assurance
Place de Ville, Tower C
330 Sparks Street
Ottawa, Ontario K1A 0N8
Telephone: 613-998-8207
Fax : 613-991-5670
E-mail: kevin.monahan@tc.gc.ca



Thank you

