





Canada Shipping Act, 2001

Came into force on July 1, 2007

Replaces Canada Shipping Act (CSA)

- Principal legislation governing:
 - Safety in marine transportation
 - Safety in recreational boating
- Applies to:
 - Canadian vessels
 - Vessels in Canadian waters

 Transports Canada / Transport Canada 



Characteristics of CSA 2001 and its Regulations

- Enhance safety and provide better protection for the marine environment
- More focus on owner and operator responsibilities
- **Shift from an inspection-based regime to a compliance-based regime**
- Introduce a new method of law enforcement
- Establish a new set of voyage classifications



Voyage Classifications

- **Group 1** – Unlimited Voyage (more than 200 miles)
- **Group 2** – Near Coastal Voyage, Class 1
(up to 200 miles)
- **Group 3** – Near Coastal Voyage, Class 2
(up to 25 miles)
 - Group 3A – NC2 (up to 5 miles)
 - Group 3B – NC2 (up to 2 miles)
- **Group 4** – Sheltered Waters Voyage



New Regulations for Fishing Vessels

- Administrative Monetary Penalties Regulations
- **Marine Personnel Regulations**
- **Regulations for the Prevention of Pollution from ships and for Dangerous Chemicals**
- **Vessel Certificates Regulations**
- **Vessel Registration and Tonnage Regulations**
- Fishing Vessel Safety Regulations



Vessel Certificates Regulations

- Came into force on July 1, 2007
- New Regulations stating:
 - Vessels that require an inspection certificate (**Vessels of more than 15 gross tons**)
 - Voyage classifications (including Sheltered Waters Voyages)

Although vessels below 15 gross tons do not need an inspection certificate, they may be checked at any time to verify compliance.



Administrative Monetary Penalties Regulations

New enforcement mechanism and tools
(Assurance of Compliance and Administrative Monetary Penalties)

- Apply to all vessels with the exception of pleasure crafts
- Expected to come into force in early 2008
- Establish a range of penalties against offences
- An administrative process rather than a judicial process
- Right to appeal to the Transportation Appeal Tribunal of Canada



Administrative Monetary Penalties

Gravity	1 st Violation	2 nd Violation	Subsequent Violation
Low	\$250 / \$1,000	\$500 / \$2,000	\$1,000 / \$5,000
Medium	\$600 / \$3,000	\$1,200 / \$6,000	\$2,400 / \$12,000
High	\$1,250 / \$6,000	\$2,500 / \$12,000	\$5,000 / \$25,000



Regulations for the Prevention of Pollution from Ships and Dangerous Chemicals

What's new:

No ship shall discharge and no person shall discharge or permit the discharge of sewage or sewage sludge, except when allowed by these Regulations.



Authorized Discharge of Sewage

In the inland waters (West of Pointe-au-Père):

- **Only** with a marine sanitation device
(effluent = fecal coliform count of 250 or less /100ml)

In St. Lawrence, Gulf and River (East of Pointe-au-Père):

- More than **1 mile** from shore, **sewage is comminuted and disinfected** using a marine sanitation device.
- More than **3 miles** from shore, **untreated sewage**.



Required Equipment

A fishing vessel that has a toilet facility shall be fitted with:

- A holding tank, or
- A marine sanitation device, fecal coliform count of 250 or less/100ml

Conformity deadline:

- New vessel = immediately
- Existing vessel = 5 years from the date on which these Regs came into force (2012)



Fishing Vessel Safety Regulations

- New Regulations replacing the *Small Fishing Vessel Inspection Regulations* which should come into force in 2008
- Applicable to fishing vessels of LOA < 24m

Content:

- New requirements concerning stability and loading
- Minimum standards for construction
- Modernized requirements for lifesaving equipment and fire safety provisions

Stability

- Requirements based on risk factors
- Applicable to all fishing vessels, new or existing
- The owner has the choice between different methods depending on vessel LOA
- Conformity deadline for existing vessels

Risk Factors

Ship Safety Bulletin 04/2006	1st Level Risk Factor	2nd Level Risk Factor	Outcome
Carriage of herring or capelin	Carriage of herring or capelin in bulk		Full Stability Assessment
Presence of an anti-roll tank	Presence of an anti-roll tank		Full Stability Assessment
	Presence of stabilizer (paravane)		•Full Stability Assessment •Simplified calculations and test
Carriage of liquid cargo	Carriage of liquid cargo	$(\text{TANK} \cdot \text{GM}) / (0,5 \cdot \text{L} \cdot \text{B} \cdot \text{d}) > \text{X Tankvol} / \text{Disp} > \text{Y}$	Full Stability Assessment
Substantial topside weight	Multi decks Substantial topside weight	•Upper deck more than xx% of L •Superstructure or deckhouse on upper deck more than xx% of L •Heavy fishing gear	Full Stability Assessment

Risk Factors (cont'd)

Ship Safety Bulletin 04/2006	1st Level Risk Factor	2nd Level Risk Factor	Outcome
Operation in an area and season where topside icing can occur	Operation in an area and season where topside icing can occur	<ul style="list-style-type: none"> •More than xx hours for safe place of refuge •Weather forecast on risk of icing not available •Operating overnight 	<ul style="list-style-type: none"> •Full Stability Assessment •Weather forecast on risk of icing not available •Operating overnight
	More than 15m in length		
Has significant windage	Has significant windage	Ratio A ABOVEWL / A TOTAL > X Or Ratio M WIND / (GM*DISPL) > X Ratio AA ABOVEWL / A TOTAL > Y Or Ratio M WIND / (GM*DISPL) > Y	Simplified test Full Stability Assessment

Stability Criteria

Length of Vessel (m)					
			> 6 <= 9	> 9 <= 12	> 12 <= 15
Existing	TP1332 – Part 4[4]	TP1332 – Part 5			
		TP1332 – Part 5			
New	TP1332 – Part 4	TP1332 – Part 5			
		TP1332 – Part 5			
Existing	TC Simplified (Without any risk factor)				
New	TC Simplified (Without any risk factor)				

Stability Criteria (Cont'd)

Length of Vessel (m)						
	> 6 <= 9	> 9 <= 12	> 12 <= 15	> 15 <= 18	> 18 <= 21	> 21 <= 24
Existing	ISO 12217-1 (C & D) (With F.V. specific guidelines)					
	ISO 12217-1 (A & B) (With F.V. specific guidelines)					
New	ISO 12217-1 (C & D) (With F.V. specific guidelines)					
	ISO 12217-1 (A & B) (With F.V. specific guidelines)					
Existing	OMI SLF 51/5 – Simplified Stability (To be integrated in SFVR)		OMI CMS 79/23 – Simplified (To be integrated in SFVR)			
New	OMI SLF 51/5 – Simplified Stability (To be integrated in SFVR)		OMI CMS 79/23 – Simplified [3] (To be integrated in SFVR)			
Existing	OMI SLF 51/5 – Full Stability [2] (To be integrated in SFVR)		OMI CMS 79/23 – Full Stability [2] (To be integrated in SFVR)			
New	OMI SLF 51/5 – Full Stability [2] (To be integrated in SFVR)		OMI CMS 79/23 – Full Stability [2] (To be integrated in SFVR)		OMI CMS 79/23 – Full Stability (To be integrated in SFVR)	

Conformity Deadline for Existing Vessels

Voyage Classifications	Low Risk	High 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



TCMS Simplified Stability Criterias

- Determine minimum freeboard depending on the type of vessel
- Determine maximum load considering the height and angle of flooding
- Determine GM with a roll test
- Determine the transverse inclining moment with a lifting test



Lifesaving Equipment

- Group 1 – life rafts for 200% of complement plus recovery boat
- Group 2 – life rafts for 100% of complement
- Groups 3 and 3A – less than 12m – life rafts for 100% of complement; or inherent buoyancy of vessel; or EPIRB for existing vessels
 - more than 12m – life rafts for 100% of complement
- Group 3B and group 4 – no requirement for life raft or recovery boat

- Groups 1 and 2 must use Class 1 lifejackets (Standard) with lights and immersion suits
- Groups 3 and 4 must use Class 2 lifejackets (Small Vessel) or more and anti-exposure work suits



Thank You

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