

Marine Personnel Regulations (MPR)

Requirements:

Masters and
fishing vessels


In force since
July 1st, 2007



Permanent Committee on fishing vessels safety
(Quebec region) - Grande-Rivière - February 2, 2009



Fishing vessels masters


- **All** fishing vessels will require, in accordance with their tonnage and type of voyage :
 - a **certificated master**,
 - Or
 - A person holding a **small vessel operator proficiency** training certificate (SVOP)
 - Or
 - A person holding a **pleasure craft operator card (PCOC)**



Fishing vessels certificates

Voyages Gross tonnage	Near coastal voyages, class 1	Near coastal voyages, class 2		Sheltered waters voyages
		More than 2 miles from shore	Less than 2 miles from shore	
More than 15 gross tonnage or more than 12 meters, but less than 100 gross tonnage	Fishing master, 4th class or Certificate of service as master of a fishing vessel of less than 60 gross tonnage	Fishing master, 4th class or Certificate of service as master of a fishing vessel of less than 60 gross tonnage	Fishing master, 4th class or Certificate of service as master of a fishing vessel of less than 60 gross tonnage	Fishing master, 4th class or Certificate of service as master of a fishing vessel of less than 60 gross tonnage
Gross tonnage not exceeding 15 or 12 meters overall length		Training certificate in Small Vessel Operator Proficiency (SVOP) Note: Not required if more than 7 fishing seasons	Pleasure Craft Operator Card (PCOC)	

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Entry into force dates for captains

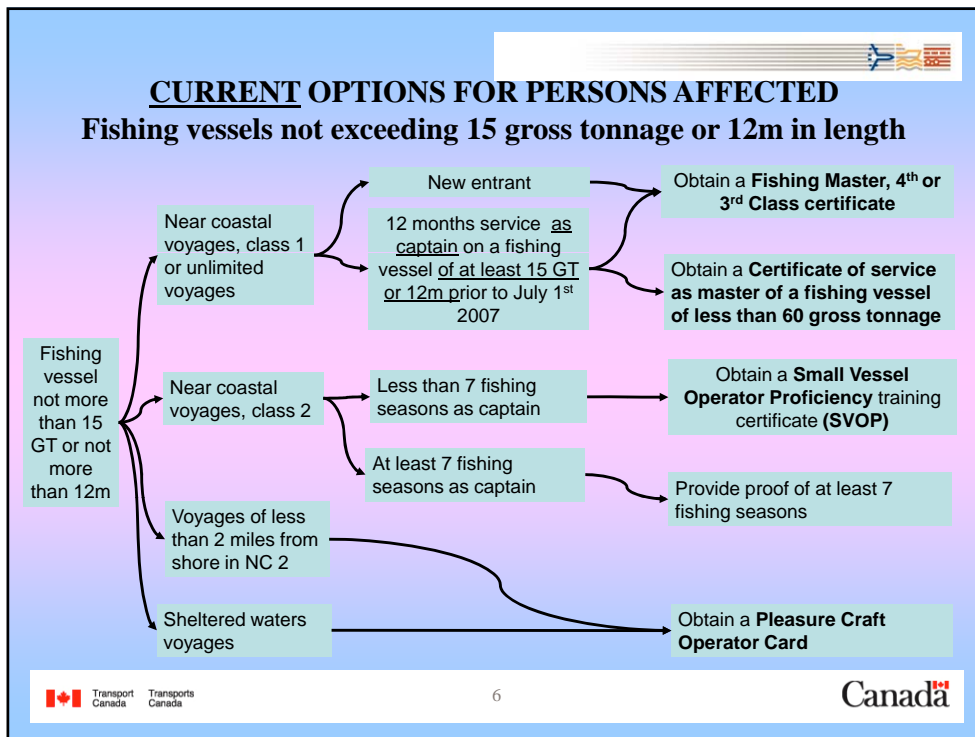
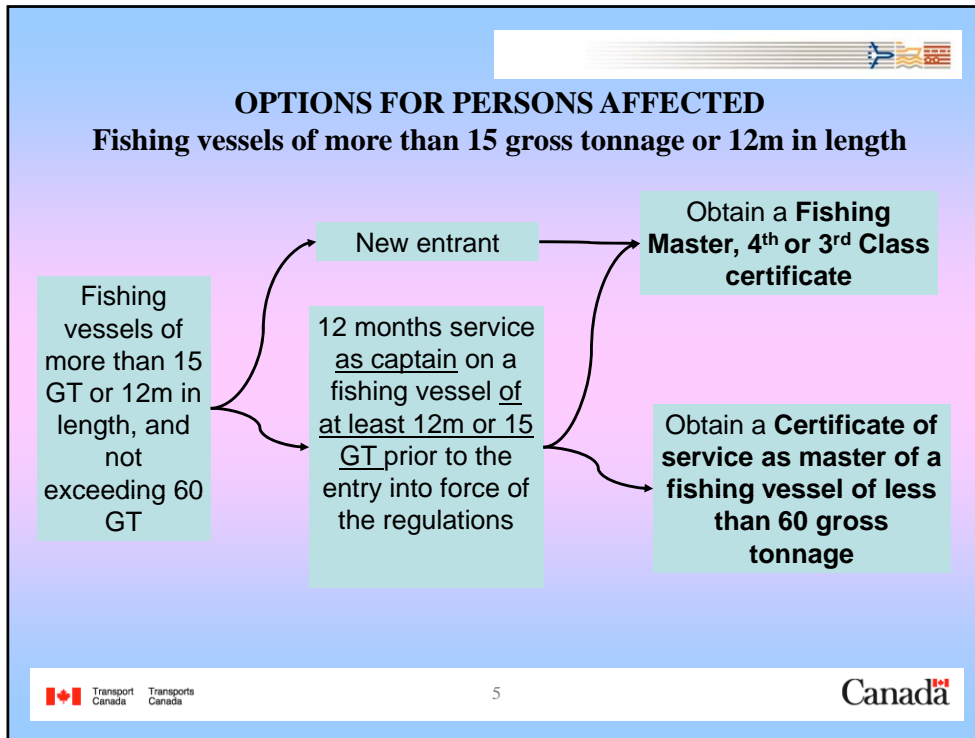
As the case may be:

- Fishing Master certificate (Class 4, 3, 2, 1 or service),
- Small Vessel Operator Proficiency certificate (SVOP), or
- Pleasure Craft Operator Card (PCOC)

According to the category, required starting from:

- November 7, 2008, if more than 15 m
- November 7, 2009, if more than 14 m
- November 7, 2010, if more than 13 m
- November 7, 2012, if more than 12 m
- November 7, 2015, if more than 6 m
- November 7, 2016, fishing vessels of all lengths

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Requirements for certificate of service as master

For vessels between 15 GT (or 12 m) and 60 GT

- 12 months of qualifying service before July 1st 2007 as master of a fishing vessel of at least 15 GT or 12 m
- Application to be made before July 1st 2017
- MED certificate with regard to basic safety (A1)
- Restricted Radio Operator Certificate – Maritime Commercial (ROC-MC)
- **If the applicant has fewer than 7 fishing seasons :**
 - ✓ Simulated Electronic Navigation, Limited (SEN, Limited) course
 - ✓ Marine basic first aid certificate
 - ✓ Small vessel operator proficiency certificate



Small vessel operator proficiency certificate

For fishing vessels:

- Not more than 15 gross tonnage or overall length not exceeding 12m
- Voyage beyond 2 miles from shore
- Course training certificate
- Required from November 7, 2015
- Not required if the master has acquired, before July 1st 2007, at least 7 fishing seasons as master, with no two of those fishing seasons having occurred in the same year
- Proof of experience to be kept onboard



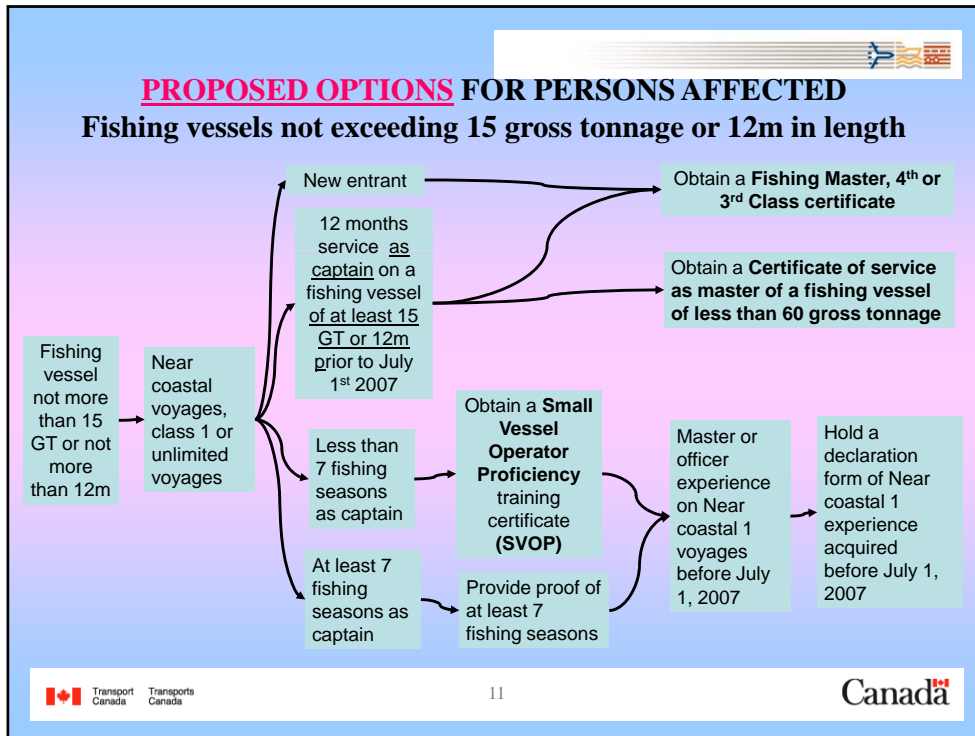
Proof of experience to be kept onboard



- For masters not required to hold an SVOP
(at least 7 fishing seasons as master before July 1st 2007)
- In order to facilitate proof of compliance
- Declaration form is proposed that will have to either:
 - Authenticated by a commissioner of oath
 - Or
 - be supported by documents as fisherman booklet, letter of Association, letter of owner, discharge book
- Final format yet to be determined (plastic card ?)



Small vessels beyond 25 miles from shore

- Small vessel operator certificate (SVOP) is not valid for voyages beyond Near coastal 2
- Industry requested to extend the validity of SVOP for Near coastal 1 voyages for vessels of not more than 15 gross tonnage or overall length not exceeding 12m, where those vessels were already operating beyond Near coastal 2 before the MPR came into force
- Declaration form is proposed
- Testimonial of fishing service beyond NC 2 waters before July 1st, 2007
- Final format yet to be determined (plastic card ?)



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- ## Continental shelf limits
- Near coastal 1 extends up to 200 miles off the coast, or up to the continental shelf limits
 - Canada has to deposit a submission document on its continental shelf limits claim to a United Nations commission before 2013
 - The area claimed includes Newfoundland Grand bancs and Flemish Cap
 - Continental shelf limits are then not legally clearly defined for the moment
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Continental shelf limits and validity limits of certificates issued before July 1st, 2007

- While waiting for continental shelf limits to be defined
- A policy has been put in place:
 - ❑ **Fishing certificates issued prior to July 1st, 2007 retain their previous sectors of validity**
- TCMS is envisaging a second policy:
 - ❑ That would set out currently claimed continental shelf limits as voyages and certificates of competency limits and would include the Grand Bancs and Flemish



Deck watch and look out

- Every vessel shall at all times maintain a proper look-out 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 master determines persons that shall be part of the deck watch to be kept as per the standards referred to in section 213 of the MPR according to the prevailing circumstances



Deck watches

- The deck watch shall at all times be kept by at least one person in charge holding an appropriate certificate
- When the master cannot keep the watch at all times by himself, he must be replaced by another certificated person
- This requirement that has been in force for quite some time has not been implemented for different reasons
- To avoid putting on the industry a too heavy burden
- TCMS proposes to create a **certificate of service as watchkeeping officer of a fishing vessel not exceeding 100 Gross tonnage**



Phasing in period to obtain the certificate

- The requirement that the master and any person in charge of the watch of a fishing vessel of not more than 15 gross tonnage or of an overall length not exceeding 12m came into force on November 7, 2008
- Industry has requested for a phasing in period to allow its members to obtain the required qualifications
- Until **November 7, 2010** TCMS will not take any action in the case that the person in charge of the deck watch on a fishing vessel not exceeding 100 Gross tonnage does not hold the required certificate of competency or of service
- The master has however to be properly certified



Proposed requirements for certificate of service as officer of a fishing vessel not exceeding 100 Gross tonnage

For vessels not exceeding 100 GT

- 12 months of qualifying service before July 1st 2007 as person in charge of the watch of a fishing vessel of at least 15 GT or 12 m
- Application to be made before July 1st 2017
- MED certificate with regard to basic safety (A1)
- Restricted Radio Operator Certificate – Maritime Commercial (ROC-MC)
- **If the applicant has fewer than 7 fishing seasons :**
 - ✓ Simulated Electronic Navigation, Limited (SEN, Limited) course
 - ✓ Marine basic first aid certificate
 - ✓ Small vessel operator proficiency certificate



Proposed requirements for certificate of service as officer of a fishing vessel not exceeding 100 Gross tonnage

- Given the difficulty in recruiting seafarers holding a certificate to act as person in charge of the watch
- The fishing industry has proposed to create a new certificate of competency as officer of a fishing vessel not exceeding 100 gross tonnage
- This certificate would be slightly easier to obtain than an FM 4 certificate
- TCMS is evaluating this possibility and remains listening to Industry needs
- This new certificate could also be valid as master of a fishing vessel not exceeding 15 GT or 12m in overall length, thereby allowing its holder not to have to follow the SVOP course to act as master on such a vessel



Additional person of the watch

- For any vessel of 5 GT and over, the MPR requires that in addition to the person in charge of the watch, an additional person be onboard and readily available to provide assistance in the wheelhouse
- Industry has requested that this requirement to apply only for fishing vessels of more than 15 GT or more than 12 m
- TCMS is currently in the process of creating a policy to that effect



Safe Manning Document

Prescribed for fishing vessels required to obtain an inspection certificate (more than 15 GT)

- Required on the later of the following 2 dates:
 - January 1st, 2009
 - The next periodical inspection of the vessel
- Application must be made to TCMS by the authorised representative
- An inspector can provide assistance to the owner
- This document specifies the minimum number of crew members required to be onboard



Complement of vessels not exceeding 15 GT or 12 m

- Fishing vessels not exceeding 15 gross tonnage or 12 m in overall length are not required to have a safe manning document
- These vessels do however have to comply with the minimum complement requirements specified in Part 2 of the MPR



Hours of work and hours of rest

- Applies to fishing vessels of 100 gross tonnage and over
- Sheltered waters, NC 2 and NC 1
- The master and every crew member shall have:
 - (i) at least six consecutive hours of rest in every 24-hour period, and
 - (ii) at least 16 hours of rest in every 48-hour period

Typical minimum complement of a fishing vessel of less than 500 GT

	master	The master is permanently in charge of the navigational watch	The master does not permanently keep the navigational watch	Additional persons	Minimum complement
From 0 up to 15 GT or 12m	1	0 officer		0	1
	----- 1	-----	1 officer	0	2
More than 15 GT or 12m	1	0 officer		1	2
	----- 1	-----	1 officer	1	3
More than 15 GT or 12m & 2 watch system in place	1		1 officer	2	4

* Complement could be increased depending on vessel's characteristics and firefighting and lifesaving equipment that would require more persons in case of emergency or abandon ship

Marine Emergency Duties (MED) Training

- MED A1 or A3 required **April 1st 2008**
- **For every member of the complement who is required to be on board** in order to meet the safe manning requirements
- To be obtain before completing a total of **six months of sea service**

Except:

- Fishing vessels of not more than **15 GT (or 12 m)**, operating in **Sheltered waters** voyages or **less than 2 Miles from shore** in NC 2:
 - **Pleasure Craft Operator Card**



Industry request concerning MED

- The minimum manning of a fishing vessel is set to a quite limited number of persons
- For certain fishing activities many crew members can frequently be utilised in addition to crew members being part of the minimum manning
- Although the MPR requires that every member of the complement receives familiarization and safety training, crew members not required to be onboard are however allowed to sail without having followed a MED
- Industry is preoccupied and feels this is a break in the level of safety



Industry request concerning MED (next)

- As crew members are allowed to accumulate **6 months of sea service** before the MED training becomes a requirement
- Industry is trying to achieve a consensus to request TCMS to amend the MPR in order to make MED training required for all crew members of fishing vessels
- For the moment, it appears that only the Quebec fishing Industry is against that request



Fishermen medical examinations

- **Required every 2 years** for **certificate holders**, except Certificate of Service as Master of a Fishing Vessel of less than 60 Gross
- **Provisional medical certificate (valid for 6 months)** and **“minister’s” medical certificate (valid for 2 years)**
- **Not required anymore** for un-certificated crew members



First aid training (current requirements)

- To obtain a fishing master Class 1, 2, 3, or 4 certificate:
 - Marine advanced first aid**
- Must be valid in order to obtain a new certificate
- Does not have to be valid for a certificate renewal (continued proficiency)



First aid training (current requirements)

- The minimum complement, shall include **a person designated to provide medical first aid**, who shall have successfully completed at a recognized institution training in:
 - **Marine basic first aid**
and
 - **Marine advanced first aid**, on a vessel engaged on a near coastal voyage, class 1 or an unlimited voyage



First aid training (modifications)

- The length of the Marine basic and Marine advanced first aid has recently increased from 8 to 16 hours and 16 to 31 hours respectively
- The fishing Industry has made numerous and intense representations to TCMS on the uselessness of those changes for its sector as well as on its incapability to comply with the new requirements
- After having well understood Industry requests, TCMS is trying to rapidly put in place a policy to make first aid training requirements better adapted and more realistic to the fishing Industry needs



First aid training (modifications / next)

To obtain a new certificate of competency	Marine advanced first aid (31 hours / valid for 5 years)
Fishing vessels: Sheltered waters, Near coastal 2 or 1 voyages	Marine basic first aid (16 hours / valid for 5 years) Or Any advanced first aid recognized by a province (16 hours / valid for 3 years)
Fishing vessels: Unlimited voyages	Marine advanced first aid (31 hours / valid for 5 years)



Thank you !

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Permanent Committee on fishing vessels safety
(Quebec region) - Grande-Rivière - February, 25 2008