

Update on the amendments to the *Small Fishing Vessel Inspection Regulations*

Standing Committee on Quebec Fishing Vessel Safety
Rimouski, Quebec
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RDIMS #10050625

Canada

Overview

- Update on the amendments to the *Small Fishing Vessel Inspection Regulations* (Phase 1 of the proposed amendments)
 - Summary of the consensus reached
- Development of the guidelines that will support Phase 1 of the proposed amendments
 - Guidelines on adequate stability and vessel modifications
- Next Steps
 - Development of the guidelines and of Phase 2 of the proposed amendments dealing with vessel construction requirements
 - Continue the consultations with stakeholders for Phase 2 of the proposed amendments



Update on Phase 1 of the proposed amendments

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Update on Phase 1 of the proposed amendments

- Transport Canada (TC) is pleased to report that a unanimous consensus was reached at the 2014 Fall National Canadian Maritime Advisory Council (CMAC) on Phase 1 of the proposed amendments. The consultations for this regulatory project are therefore completed.
- TC wishes to thank fishing vessel owners, fishing vessel safety associations, non-governmental organizations and everyone that has directly or indirectly participated in the development of this regulatory project.
- This consensus is the result of extensive collaboration and consultation with stakeholders over the last 14 years – it was a two-way communication, where both the government and industry came to the table with proposed options.
- The extensive consultations undertaken for Phase 1 of the proposed amendments is a successful model that TC intends to continue to use in upcoming years for other regulatory projects.

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Update on Phase 1 of the proposed amendments

To recap, the major points of the consensus achieved at the National Fall 2014 CMAC were:

1. Application of the Adequate Stability provision

- The stability and, if applicable, the buoyancy and flotation of an [existing fishing vessel](#) shall be adequate to safely carry out its intended operations.

2. Application of the Mandatory vessel stability assessments provision

- No person shall operate, or permit another person to operate, [a new fishing vessel that has a hull length of more than 9m; a fishing vessel that has a hull length of more than 9m that undergoes a major modification or series of modifications or any significant change in activity that is likely to affect the stability of the vessel; or a fishing vessel of more than 15m conducting herring or capelin operations that was required to undergo a stability assessment before the coming into force of these regulations](#) unless the vessel has successfully undergone a stability assessment conducted by a competent person.

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Update on Phase 1 of the proposed amendments

3. Deletion of the Maximum Operating Draft Mark Provision

- A fishing vessel shall be permanently marked with a recommended maximum operating draft mark that shall be located at the level indicated in the vessel's stability booklet or record of stability; located amidships, on the port and starboard sides of the hull; represented by a figure that is in a form established by the Minister, with a base that corresponds to the recommended maximum operating draft; and in a colour contrasting with that of the hull.

4. Modification to the definition of "new vessel"

- "new", in respect of a fishing vessel, means that [construction of the vessel was started or a contract was signed for the construction of the vessel](#) — or that the vessel was imported into Canada and registered for the first time in Canada — more than one year after the day on which these Regulations come into force.

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Update on Phase 1 of the proposed amendments

- TC has completed its input for Phase 1 (i.e. the drafting and the annexes to the Treasury Board Submission). The project is currently getting the required approvals as per the Government of Canada's regulatory process and will be thereafter published in the Canada Gazette Part I.
- Phase 1 of the proposed amendments will update and enhance the requirements for vessel stability and safety equipment in the *Small Fishing Vessel Inspection Regulations* as well as introduce new requirements for safe operating procedures.
- Phase 1 of the proposed amendments will also amend the name of the *Small Fishing Vessel Inspection Regulations* – the new name for these regulations will be the *Fishing Vessel Safety Regulations*.
- TC wishes to reiterate the essential role the industry has played in the completion of this project.
- In the, upcoming months TC's focus will therefore be to develop guidelines (amongst other non-regulatory measures) that will support Phase 1.

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Development of the guidelines that will support Phase 1 of the proposed amendments

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Guidelines that will support Phase 1 of the proposed amendments

- TC, in collaboration with stakeholders, will develop guidelines to further define concepts included in the proposed amendments to help fishing vessel owners be in compliance with the proposed requirements. More specifically, the guidelines will touch upon:
 1. Adequate Stability (i.e., currently part of the concept of seaworthiness).
 2. A major modification or series of modifications or any significant change in activity that is likely to affect the stability of the vessel (i.e., any repair, alteration, and modification that substantially alters the dimensions of a ship; passenger accommodation; and/or increases a ship's service life should be recognized as being of a "major character").
- TC is currently developing a first draft of these guidelines.
- TC anticipates to consult with stakeholders at the Spring 2015 National CMAC on this first draft.

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Next Steps

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Next Steps

- Develop the guidelines for adequate stability and vessel modification, as discussed above.
- Consult with stakeholders on the first draft of these guidelines at the 2015 Spring CMAC.
- Continue the development of Phase 2 of the proposed amendments.
- Continue the consultations with stakeholders on Phase 2

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Questions?

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