

# Transport Canada

## *Fishing Vessel Safety Regulations*

### *Guysborough County Inshore Fishermen's Association*





## Introduction - What's New?

The new *Fishing Vessel Safety Regulations* were published in the *Canada Gazette*, Part II on July 13, 2016, and will come into force on July 13, 2017.

The new *Fishing Vessel Safety Regulations* are a result of extensive consultation with stakeholders, including fishing vessel owners, provincial and territorial safety groups and representatives of fishing safety associations from coast to coast to coast.



# Scope

## Part 0.1

Commercial fishing vessels not exceeding 24.4 m in length or 150 gross tonnage.

## Part I

Commercial fishing vessels exceeding 15 gross tonnage but not exceeding 24.4 m in length or 150 gross tonnage. (Certificated).

## Part II

Commercial fishing vessels not exceeding 15 gross tonnage.



# What you need to know .....

The amendments:

- change the title to the *Fishing Vessel Safety Regulations*
- Repeal or modify certain sections of the previous *Small Fishing Vessel Inspection Regulations* and introduce new sections; and
- Set out new requirements for written safety procedures, safety equipment, procedures and vessel stability.
- New definitions for Part 0.1
  - Hull Length
  - Major Modification
  - New



# Written Safety Procedures

- **Section 3.16(1)** requires safety procedures to be established in writing, in English or French or in both, according to the needs of the crew, and implemented to familiarize persons on board.
- The requirement applies to new and existing fishing vessels
- Written safety procedures do not need to be approved by TC
- Templates have been developed to help fishing vessel operators complete this requirement and are available for download on TC's Fishing Vessel webpage.

<https://www.tc.gc.ca/eng/marinesafety/debs-fishing-vessels-small-menu-4526.html>

# Sample Safety Procedure – Person Overboard

**Purpose:** maintain sight of a person overboard while maneuvering and recover the person safely as quickly as possible

**Responsibility:** Spotter (to keep the person in sight and provide assistance) and the Master (to bring the vessel back to the person safely and quickly).

## Steps/Descriptions

- 1 Whoever sees the victim fall overboard shouts "man overboard!" at the top of their voice(s) and points to the victim.
- 2 The spotter(s) continues to point to the victim until the vessel reaches the victim. *It is vital that spotters do not take their eyes off the victim at any time and that they continue to point throughout.*
- 3 Throw into the water readily available objects that the victim could use to keep afloat.

# Sample Safety Procedure – Person Overboard

## Steps/Descriptions (Continued)

- 4 Master - Turn stern (propeller) away from victim by turning the wheel towards the side of his departure and proceed in direction indicated by spotter.
- 5 Alert other vessels in the vicinity so that they can help and do not endanger the person.
- 6 Make a slow, powered approach into the wind, reducing to dead slow as you approach the victim.
- 7 Kill the engine when the victim is grasped.
- 8 If there are significant swells, use the heaving line or lifebuoy to avoid the vessel coming down on the victim.
- 9 Bring the victim onboard.
- 10 Complete an incident report form and advise company and authorities as necessary

# Record Keeping / Drills

## Record of modifications affecting stability

The authorized representative of a fishing vessel shall ensure that a record is kept of any modification or series of modifications that affects the stability of the vessel. The record shall be in the form and manner specified by the Minister. **s3.12** (SSB 01/2008)

## Maintenance Records

The authorized representative of a fishing vessel shall maintain records on the maintenance of the vessel and of its machinery and equipment for a period of 7 years. **s3.04 (2); s3.17(1)**

## Record of Drills

Drills on the safety procedures shall be held to ensure that the crew is at all times proficient in carrying out those procedures and records kept for 7 years. **s3.16(2); s3.17(1)**

# Safety Equipment – con't

## Personal life-saving appliances - Lifejacket

An approved lifejacket of an appropriate size for each person must be carried on board s. **3.25 (1)**

The lifejacket shall not be a Class 2 lifejacket or a small vessel lifejacket if the vessel is engaged on a voyage beyond the limits of near coastal voyage, class 2.



## Safety Equipment – con't

### Personal life-saving appliances - Lifejacket

The new *Fishing Vessel Safety Regulations*, recognize the need for greater choices in personal lifesaving appliances, and will now accept a broader range of flotation devices that are more wearable than traditional lifejackets.

The regulations require that no person shall operate, or permit another person to operate, a fishing vessel conditions that could jeopardize the safety of persons onboard unless a lifejacket or PFD is worn by all persons onboard. **s. 3.09**



## Safety Equipment – con't

### **Vessels not more than 12 m , near coastal voyage, class 2**

#### **Life Rafts and Other Life-Saving Appliances 3.28(1)(4)**

**(a)** one or more life rafts, or a combination of life rafts and recovery boats, with a total capacity that is sufficient to carry the number of persons on board; **OR**

**(b)** The following equipment

(i) an EPIRB **OR** two way radio communication, unless the vessel is carrying on board an EPIRB required by the *Ship Station (Radio) Regulations, 1999*; **AND**

(ii) if the water temperature is less than 15°C, an immersion suit **OR** an anti-exposure work suit of an appropriate size for each person on board



## Safety Equipment – con't

### **Vessels more than 12 m , near coastal voyage, class 2**

#### **Life Rafts and Other Life-Saving Appliances 3.28(1)(3)**

- (a)** one or more life rafts, or a combination of life rafts and recovery boats, with a total capacity that is sufficient to carry the number of persons on board; **AND**
- (b)** an EPIRB, unless the vessel is carrying on board an EPIRB required by the *Ship Station (Radio) Regulations, 1999*; **AND**
- (c)** if the water temperature is less than 15°C, an immersion suit **OR** an anti-exposure work suit of an appropriate size for each person on board



# Vessel Stability

As of July 13, 2017, the following fishing vessels will be required / still required to successfully undergo a stability assessment by a competent person:

- A vessel with a **hull length** of more than 9 m whose construction was started or that a contract was signed for the construction after July 13, 2018;
- A vessel constructed on any date with a **hull length** of more than 9 m and that has undergone a **major modification** or a change in activity that is likely to adversely affect its stability after July 13, 2017.
- A vessel constructed on any date of any length fitted with an anti-roll tank at any time.
- the vessel is an existing vessel of closed construction, is of more than 15 gross tonnage, is used for catching herring or capelin



# Vessel Stability

## Persons and Organizations Competent to Conduct a Stability Assessment. (full or simplified)

- (a) an engineer who is a member in good standing of the association of Professional Engineers of a province of Canada or a state of the United States;
- (b) a classification society; and
- (c) a person who has at least three years of education in the field of naval architecture, who is a member in good standing of an association of technologists or technicians of a province of Canada, and who has at least five years' experience in the marine transportation industry.



## Vessel Stability (con't)

### Existing Vessels – Adequate Stability

*“The stability and, if applicable, the buoyancy and flotation of an existing fishing vessel that is not required to undergo a stability assessment shall be adequate to safely carry out the vessel’s intended operations.” s.3.45*



# Vessel Stability (con't)

## Stability Notice

The competent person who conducts a stability assessment shall prepare a stability notice for the fishing vessel. **s.3.57(c)**

- The stability notice must;
  - State the stability standards that were applied to the vessel for the assessment.
  - Operational practices necessary to operate the vessel within safe operating limits
  - Statement indicating whether the vessel has been assessed for operations in freezing spray conditions



# Vessel Stability (con't)

## Stability Notice (Example)





# Vessel Stability

## Population of Fishing Vessels s.3.63

- This section is mostly aimed at new fishing vessels (built in a series).
- May exclude some vessels from the requirement to undergo a stability assessment
- The competent person undertakes a commonality analysis which then provides a risk score for decision making.
- The results of the analysis (conducted by the competent person) must go to TC HQ for approval.

## Next Steps

- To accommodate the new regulations, Transport Canada has updated its Small Fishing Vessel Safety webpage links <https://www.tc.gc.ca/eng/marinesafety/debs-fishing-vessels-small-menu-292.htm>. Small fishing vessels’ Authorized Representatives should visit the webpage to stay up to date with the latest information.
- A Ship Safety Bulletin will be published shortly as will a communication “flyer” which will be given wide distribution.
- Guidelines will be posted on TC’s Website.
- Small fishing vessels’ Authorized Representatives should become familiar with the new requirements and take the necessary steps to ensure they are in compliance.



## **Fishing Vessel Safety Regulations**

**Please do not hesitate to contact your local Transport Canada Centre if you have any questions.**

**Thank you !**



**Ian Campbell,**  
Manager, Small and Fishing Vessels, Design and  
Equipment Standards and Boating Safety

Marine Safety & Security

[ian.w.campbell@tc.gc.ca](mailto:ian.w.campbell@tc.gc.ca)

Tel: 613-998-0652