



**CFA • ACT**

Canadian Ferry Association • Association canadienne des traversiers

**Position Paper: *Pilotage Act* Review**

**November 2017**



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## About the Canadian Ferry Association

The Canadian Ferry Association (CFA) is the national voice of the ferry industry, representing ferry owners and operators across the country, as well as suppliers to the sector. Federally incorporated in 1987, CFA counts among its members all the major ferry operators in Canada.

Our members carry over ninety percent (90%) of ferry traffic in Canada. Annually, ferries move over 53 million passengers, 21 million vehicles and billions of dollars' worth of goods. In many parts of the country, our members provide a vital link transporting the goods and people needed to keep some of Canada's most vibrant communities alive.

## Ferries and Pilotage

Pilotage is an important component of marine and navigation safety. It ensures that our waterways are safe for all vessels.

Currently, passenger vessels are subject to compulsory pilotage in all 4 pilotage authority areas when deviating from their normal routes. This includes when vessels are brought to dry docks for regular maintenance, refits, upgrades and other repairs. It also applies to regular trips required for seasonal storage of vessels.

Considering that ferries have demonstrated an exemplary safety record, that their captains and crews are often some of the most experienced seafarers operating in Canadian waters, and that trips outside of their normal routes are typically to the same place (i.e. a dry dock, storage facility, etc.), CFA recommends ferries be exempted from compulsory pilotage through legislation.

## New Technologies and Reducing Administrative Burden

One of the reasons that the government has chosen to review the *Pilotage Act* and services in Canada is that the governance of pilotage authorities has remained largely unchanged across many decades. The *Canada Transportation Act* Review Report (tabled by the Minister of Transport in 2016) notes that:

Canada has not fully taken advantage of these advances to improve efficiency and reduce overall costs the way some peer countries (such as Norway and Denmark) have done. The Pilotage Authorities acknowledge that technology, including remote piloting of vessels and automated navigation systems, reduce the requirement to have pilots available at all times and in all circumstances<sup>1</sup>.

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<sup>1</sup> *Canada Transportation Act* Review – Report [http://www.tc.gc.ca/eng/ctareview2014/CTAR\\_Vol1\\_EN.pdf](http://www.tc.gc.ca/eng/ctareview2014/CTAR_Vol1_EN.pdf)



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New technologies and innovations have changed many aspects of marine travel. This includes improved navigation and communications systems, enhanced steering capabilities, and more. Considering the benefits of this new technology, CFA recommends that consideration be given to reducing the size of the compulsory pilotage areas.

Additionally, new technologies will also allow the consolidation of functions (including administrative tasks) between the 4 pilotage authorities. This would lead to a more streamlined process and lessen the administrative burden on the government by reducing work duplication. Ultimately, these savings could be passed on to the user, by reduced pilotage fees.

## Governance

The governance of pilotage authorities has been the subject of many recommendations in the past year. Among others, the *Canada Marine Act Review* (2003) recommended changes to composition of the boards of directors, and the *Canada Transportation Act Review* (2016) recommended amalgamation of the pilotage authorities.

Whatever shape the future of pilotage governance takes, CFA believes that it is important that so long as ferries are required to abide by compulsory pilotage, that our sector be represented with a seat on the board(s).

## Essential Service

Under the *Public Service Labour Relations Act*, “essential service” is defined as “any service, facility or activity of the Government of Canada [that] is or will be necessary for the safety or security of the public or a segment of the public.”

Countless organizations have cited the importance of marine pilotage in their submissions to the government during various reviews, yet pilotage is not considered an essential service by the federal government.

CFA believes that safe marine pilotage is a crucial component to ensuring that our waterways are navigated safely. As such, we recommend that the federal government take steps to designate marine pilots as an essential service so the safety of our waterways will not be compromised by work stoppages.



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## Recommendations

1. That considering that passenger ferries are not subject to compulsory pilotage when operating on a regular route and the exemplary safety record of the ferry sector, that ferries be exempted from compulsory pilotage (including trips to dry docks, storage facilities, etc) through legislation.
2. Given that the advent of new technologies and innovations have changed the way that our waterways are navigated, that the size of compulsory pilotage areas be reduced.
3. That the administrative functions of the pilotage authorities be streamlined and consolidated as a way to reduce user fees.
4. That, so long as ferries are required to abide by compulsory pilotage, that our sector be represented with a seat on the board(s).
5. That marine pilotage services should be considered essential services, and not subject to work stoppages at any level.