MARINE SAFETY AND SECURITY MANAGEMENT SYSTEM

TIER I – POLICY

INSPECTION OF SMALL FISHING VESSELS OF MORE THAN 15 GROSS TONNAGE SUBJECT TO THE FISHING VESSEL SAFETY REGULATIONS

Effective Date	Date of Revision
13TH July 2017	

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1 Policy Objective

1.1 The objective of this policy is to establish and specify the requirements for the inspection of vessels subject to the *Fishing Vessel Safety Regulations (FVSR)* made under the authority of the *Canada Shipping Act 2001 (CSA 2001).*

2 Policy Statement

2.1 Before a Canadian Maritime Document (CMD) is issued to a vessel, according to paragraph 16(2) (c) of the *CSA 2001*, the vessel shall undergo any inspection that the Minister considers necessary to establish that the requirements for the issuance of the CMD have been met.

2.2 As required by the *Vessel Certificates Regulations* (Sections 9 & 10), small fishing vessels of more than 15 gross tonnage (GT) must hold an inspection certificate issued by the Minister in order to engage on a voyage.

2.3 The Appendix to this policy includes details related to vessel inspection requirements so that an Authorized Representative (AR) of a small fishing vessel may obtain a CMD.

2.4 The periodicity of hull, machinery and equipment inspections for small fishing vessels remains at four (4) years under this policy.

2.5 Implementation and Transition Period:

2.5.1 Owners and ARs of all small fishing vessels must comply with the requirements of the *FVSR* from the day the regulations enter into force.

2.5.2 Inspection certificates issued by Transport Canada Marine Safety & Security (TCMSS) prior to the coming into force of the *FVSR*, will continue to remain valid until its period of validity expires.

2.5.3 Marine Technical Review Board decisions (MTRBs) issued to small fishing vessels under the *Small Fishing Vessel Inspection Regulations (SFVIR),* may become invalid or no longer required once the *FVSR* come into force. During monitoring, intermediate or periodic inspections, Marine Safety Inspectors (MSIs) will verify the validity of each MTRB decision against the requirements of the *FVSR* and advise the AR accordingly.

2.5.4 If during the course of an inspection after the entry into force of the *FVSR*, the MSI finds a non-compliance with the requirements under the *FVSR*, then the MSI will address the non-compliance as set out in TIER II - PROCEDURE – COMPLIANCE WITH THE NEW FISHING VESSEL SAFETY REGULATIONS (RDIMS# 12591300).

3 Scope

3.1 This policy applies in respect of Canadian fishing vessels that are more than 15 GT but not more than 150 GT and not more than 24.4m in length.

4 Authority

4.1 This policy is made under the authority of the Marine Safety & Security Executive and is in accordance with the objectives of the *Canada Shipping Act, 2001*.

5 Responsibility/ further information

5.1 The Executive Director, Domestic Vessel Regulatory Oversight and Boating Safety, is accountable for the development, approval and maintenance of this policy.

5.2 The Manager, Flag State, Compliance and Enforcement (AMSDF), is the OPI for this policy.

5.3 The Regional Directors, Marine Safety and Security, are responsible for the implementation of this policy.

5.4 Comments or queries related to this policy and its application should be addressed to:
Executive Director, Domestic Regulatory Oversight and Boating Safety
330 Sparks Street (AMSD)
Ottawa ON
K1A 0N5
Fax: 613-991-4818

insp.stand-norm.insp@tc.gc.ca

6 Related Documents

6.1 *Canada Shipping Act 2001* (*CSA 2001*)
http://laws-lois.justice.gc.ca/eng/acts/C-10.15/

6.2 *Fishing Vessel Safety Regulations* (*FVSR*)
http://gazette.gc.ca/rp-pr/p2/2016/2016-07-13/pdf/g2-15014.pdf

6.3 *Vessel Certific*ate Regulations (VCR)
http://laws-lois.justice.gc.ca/eng/regulations/SOR-2007-31/

6.4 *Tier II- Procedure- COMPLIANCE WITH THE NEW FISHING VESSEL SAFETY REGULATIONS (RDIMS # 12591300)*

6.5 *Tier II-Procedure- TO DETERMINE WHETHER AN EXISTING FISHING VESSEL HAS ADEQUATE STABILITY (RDIMS#12396458) (Under development*)

6.6 TP 127 - Ships Electrical Standards (2008)
https://www.tc.gc.ca/eng/marinesafety/tp-tp127-menu-263.htm

7 Background

7.1 Section 11 & 12 of the *CSA 2001* authorises Marine Safety Inspectors, or any person, classification society or other organization qualified to do so to conduct vessel inspections and issue CMDs on the Minister's behalf.

7.2 The FVSR were published in the Canada Gazette Part II on July 13, 2016, and will come into force one year from that date.

7.3 The new regulations change the title of the *Small Fishing Vessel Inspection Regulations* (*SFVIR*) to the *Fishing Vessel Safety Regulations (FVSR)*. They also amend, replace or repeal various sections of the *SFVIR*. Amendments include updates to the requirements for safety equipment and vessel stability as well as introducing requirements for written safety procedures for small fishing vessels.

7.4 The *FVSR* do not contain requirements for the inspection of fishing vessels by Transport Canada Marine Safety & Security (TCMSS). The repealed sections of the *SFVIR* related to fishing vessel inspections by TCMSS are incorporated in the Appendix to this policy.

8 Date of Application

8.1 This policy comes into effect on 13th July 2017.

9 Date for Review or Expiry

9.1 This policy will be reviewed after 12 months and thereafter at a frequency of not more than every 5 years.

10 RDIMS Reference

10.1 The English version of this document is saved in RDIMS under reference number (12314262). The applied naming convention is (PUBLICATION – TP 13585 – POLICY - INSPECTION OF SMALL FISHING VESSEL).

10.2 La version française du présent document est dans le SGDDI et porte le numéro de référence 12898789. La règle d'affectation des noms est (PUBLICATION – TP 13585 – POLITIQUE - INSPECTION DES PETITS BATEAUX DE PÊCHE).

10.3 This is the first approved and finalized English version of this document.

11 Keywords

- *Fishing Vessel Safety Regulations(FVSR)*
- Small Fishing Vessel
- Inspection
- Authorised Representative (AR)
- Canadian Maritime Document (CMD)
- Transition Period

APPENDIX

1. FIRST INSPECTION OF NEW CONSTRUCTION

1.1 Every fishing vessel shall be inspected during construction at such times as the inspector deems advisable.

1.2 The AR of a small fishing vessel shall notify the inspector at least one week in advance of:

(*a*) the commencement of framing, or similar stage of construction;

(*b*) the commencement of planking or plating, or similar stage of construction;

(*c*) the launching; and

(*d*) the dock and sea trials.

1.3 An inspector may, during inspection of new construction of a small fishing vessel, accept any machinery or any electrical installation, equipment or appliance, without requiring it to be opened for inspection, if

(*a*) plans in respect of the machinery or the electrical installation, equipment or appliance are not required to be submitted under the TIER I- POLICY – SUBMISSION AND APPROVAL OF PLANS FOR SMALL FISHING VESSEL OF MORE THAN 15 GT ; and

(*b*) the inspector is satisfied that the machinery or electrical installation, equipment or appliance is safe and suitable for the purpose for which it is intended; or

(c) it has been type approved or certified by the minister, a recognized organization, or a product certification body.

1.4 The inspector will verify that written safety procedures specific to the vessel have been developed as required by Part 0.1, Division 1 of the *FVSR*.

1.5 All life-saving, fire-extinguishing, communication and navigation equipment shall be inspected to verify that it is compliant with Part 0.1, Division 2 of the *FVSR.*

1.6 Dock trials and sea trials of a fishing vessel shall be held in the presence of an inspector, the bilge and fire pumps, the steering and stopping powers of the vessel, the launching appliance for the life raft, recovery boat, emergency boats, rescue boat or seine skiffs shall be tested. The safe operation of the vessel for the purpose to which it is intended to be verified taking into consideration, the fishing vessel's area of operation and seaworthiness.

1.7 For small fishing vessels which are required to undergo a stability assessment, the inspector will verify that the vessel has on board a copy of a stability booklet or

record of stability conducted, signed by a competent person (as defined in Sections 3.51 & 3.52 of the *FVSR*), and that a stability notice is posted in a conspicuous location; all of which shall meet the requirements of Part 0.1, Division 3 of the *FVSR.*[1] [2]

2. PERIODIC INSPECTION

2.1 Subject to subsection 2.2 of this Appendix, every small fishing vessel shall be inspected once every four years as follows:

(*a*) air receivers shall be tested by hydraulic pressure to 1½times the working pressure but the inspector may waive that test if the air receiver has a manhole or other opening that permits a thorough examination of the interior and he is satisfied that it is in a safe and sound condition;

(*b*) an engine trial shall be held and if the engine is found in good operating condition the inspector may accept it without opening it up for inspection, but where the running trial is not to the satisfaction of the inspector he may require that the engine, or any part thereof, be opened up for inspection; in lieu the MSI may accept the service/maintenance report from the engine manufacturer or his authorized service representative indicating that the engine is in good order.

(*c*) when the engine is opened up for overhaul, the owner shall notify the inspector so the inspector may have an opportunity to examine the engine;

(*d*) the hull shall be examined inside and out by the inspector while the vessel is in dry dock or while it is beached;

(*e*) fire and bilge pumps shall be tested by trial and overhauled if necessary;

(*f*) the rudder shall be examined in place, the wear down of the tailshaft measured and all sea connections opened up for inspection;

(*g*) the electrical equipment, installations and appliances on a fishing vessel shall be inspected in accordance with TP 127 as it reads on the day on which the inspection is made;

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1 MSIs may request a copy of the stability booklet or record of stability as part of monitoring activities if required.

2 MSIs will no longer be required to take part in the stability assessment of a fishing vessel. A stability booklet or record of stability does not require TC approval.

(*h*) tailshafts shall be inspected in accordance with sub-section 2.3 of this Appendix;

(*i*) air compressor relief valves and air receiver relief valves shall be set to blow off at the assigned working pressure;

(*j*) verify that written safety procedures specific to the vessel have been developed as required by Part 0.1, Division 1 of the *FVSR*;

(*k*) all life-saving, fire-extinguishing, communication and navigation equipment shall be inspected to verify that it is compliant with Part 0.1, Division 2 of the *FVSR*;

(*l*) the safe operation of the vessel for the purpose to which it is intended, to be verified taking into consideration, the fishing vessel's area of operation and seaworthiness;

(*m*) for small fishing vessels which are required to undergo a stability assessment, the MSI will verify that the vessel has on board a copy of an up-to-date stability booklet or record of stability conducted, signed by a competent person (as defined in Sections 3.51 & 3.52 of the *FVSR*), and that a stability notice is posted in a conspicuous location; all of which shall meet the requirements of Part 0.1, Division 3 of the *FVSR;* [3]

(*n*) for existing small fishing vessels that are not required to undergo a stability assessment, the MSI will verify that the stability and, if applicable, the buoyancy and flotation are adequate to safely carry out the vessel's intended operation in accordance with the guidance set out in the Tier II-Procedure- *TO DETERMINE WHETHER AN EXISTING FISHING VESSEL HAS ADEQUATE STABILITY (RDIMS#12396458) (Under development).*

2.2 The periodic inspection required by paragraph 2.1(a) of this Appendix in respect of a new air receiver shall commence ten years after the date of the first inspection of the air receiver.

2.3 Tailshafts of a small fishing vessel shall be inspected as follows:

(*a*) Carbon steel tailshafts, where used in salt water, shall be completely withdrawn for inspection and the propeller removed at least once every four years;

[3] MSIs may request a copy of the stability booklet or record of stability as part of monitoring activities if required.

(*b*) when the owner of a small fishing vessel has, for any purpose, caused the tailshafts referred to in paragraph (*a*) of this Appendix to be withdrawn, he shall, in order to facilitate the inspection required by paragraph (*a*) of this Appendix, notify the inspector that the tailshafts have been withdrawn and the propeller removed;

(*c*) bronze, monel, stainless steel or other non-corrosive tailshafts used in salt or fresh water and carbon steel tailshafts used in fresh water shall, if considered necessary by the inspector, be partially or completely withdrawn for inspection once every four years and the propeller shall, if considered necessary by the inspector, be removed once every four years; and

(*d*) when the owner of a small fishing vessel has, for any purpose, caused the tailshafts referred to in paragraph (*c*) of this Appendix to be withdrawn, he shall, in order to facilitate the inspection referred to in paragraph (*c*) of this Appendix, notify the inspector that the tailshafts have been withdrawn.

3. INSPECTION CERTIFICATE

3.1 First Inspection

3.1.1 No inspection certificate will be issued in respect of a small fishing vessel unless:

a) the scantlings, information, data and plans required to be submitted under Tier 1 Policy- *PLAN SUBMISSION AND APPROVAL OF SMALL FISHING VESSEL* have been submitted and approved;

(b) the vessel is constructed in accordance with:

(i) the scantlings, information, data and plans referred to in paragraph 3.1.1(a) of this Appendix; and

(ii) the requirements of the *FVSR*.

3.1.2 Following the inspection, and if the MSI is satisfied that the vessel complies with the requirements [4] of the regulations, the MSI will issue an inspection certificate valid for a period not exceeding four years from the date of completion of the inspection.

3.2 Periodic Inspection

3.2.1 No inspection certificate will be issued in respect of a small fishing vessel which has undergone a major modification as defined in subsection 3.48(3) of the *FVSR* unless:

[4] Requirements also includes all the final conditions listed on the MTRB(s) decisions.

a) the scantlings, information, data and plans required to be submitted under Tier 1 Policy- *PLAN SUBMISSION AND APPROVAL OF SMALL FISHING VESSEL* have been submitted and approved;

(b) the vessel is modified in accordance with:

(i) the scantlings, information, data and plans referred to in paragraph 3.2.1(a) of this Appendix; and

(ii) the requirements of the *FVSR*

3.2.2 Following a periodic inspection, if the MSI is satisfied that the vessel complies with the requirements [5] of the regulations, the MSI will issue an inspection certificate for a period not exceeding four years from the date of completion of the inspection.

4. EXTENSION OF INSPECTION CERTIFICATE

4.1 Notwithstanding the requirements for periodic inspection prescribed in this Appendix, an inspector may issue or extend an inspection certificate for a period not exceeding:

(*a*) two months beyond the due date of periodic inspection; or

(*b*) five months beyond the due date of periodic inspection, if authorized to do so by the Regional Director.

4.2 Prior to issuing or extending an inspection certificate under this section, the inspector shall, from such inspection of the hull, machinery and equipment, including the electrical installations, equipment and appliances, as is possible while the vessel is afloat, and without opening up any machinery except boilers and boiler mountings, satisfy themselves that the fishing vessel is in a seaworthy condition.

4.3 An inspection certificate issued or extended to the maximum period allowed under section 4.1 of this Appendix will not be renewed or further extended without being approved by a Policy Decision.[6]

4.4 A vessel for which an extension has been granted, when the subsequent periodic inspection is completed, the new certificate shall be valid to a date not exceeding four years from the date of expiry of the existing certificate before the extension was granted.

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5 Requirements also includes all the final conditions listed on the MTRB(s) decisions.

6 Policy Decisions are administered by the Marine Technical Review Board Secretariat