



SHIP SAFETY BULLETIN

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Subject: COMING INTO FORCE OF PHASE 1 OF THE NEW *FISHING VESSEL SAFETY REGULATIONS*

Purpose

This Ship Safety Bulletin aims to inform fishing vessel owners that Phase 1 of the amendments to the regulations governing fishing vessels is now complete. The new *Fishing Vessel Safety Regulations* (<http://www.gazette.gc.ca/rp-pr/p2/2016/2016-07-13/html/sor-dors163-eng.php>) were published in the Canada Gazette Part II on July 13, 2016, and will come into force on July 13, 2017.

Scope

This Ship Safety Bulletin contains important regulatory information for all commercial small fishing vessels that are not more than 24.4 m in length and not more than 150 gross tonnage.

Background

Despite the combined efforts of Government and industry, the number of accidents on fishing vessels remains unacceptably high. The lack of adequate safety equipment, vessel stability, and safety procedures on board fishing vessels continue to pose a serious threat to safety. The previous *Small Fishing Vessel Inspection Regulations* are more than 40 years old and have not kept pace with industry best practices and new technologies.

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.

What you need to know

1. The amendments to the *Small Fishing Vessel Inspection Regulations* were published in the Canada Gazette Part II on July 13, 2016, and will come into force one year from that date, July 13, 2017. (<http://www.gazette.gc.ca/rp-pr/p2/2016/2016-07-13/html/sor-dors163-eng.php>)

Keywords:

1. Written safety procedures
2. Safety equipment requirements
3. Vessel stability requirements

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2. The previous *Small Fishing Vessel Inspection Regulations* remain in force until July 13, 2017. The regulations apply to Canadian fishing vessels that are not more than 24.4 m in length and not more than 150 gross tonnage.

3. The amendments:

- change the title to the *Fishing Vessel Safety Regulations* and
- repeal or modify certain sections of the previous *Small Fishing Vessel Inspection Regulations*, and introduce new sections.
- set out new requirements for safety equipment, written safety procedures and vessel stability.

For a complete list of the new requirements not yet in force, please refer to the list of amendments found at the end of the table of contents of the following link:

<http://laws.justice.gc.ca/eng/regulations/C.R.C., c. 1486/>.

4. Most of the new requirements are in Part 0.1 of the new regulations while requirements addressing fishing vessel construction (Part I and Part II) remain mostly unchanged. Please refer to key elements detailed below.

5. Other features of the new regulations include:

- Plan approval and inspection requirements have been removed and will be incorporated in Transport Canada inspection and plan approval policies issued under the authority of the CSA 2001.

6. Several new definitions apply, while others were repealed. For example, new definitions include, “fishing vessel”; “hull length”; “major modification”; “new”; “recommended practices and standards”, etc. Please refer to the *Fishing Vessel Safety Regulations* for a complete list of the new definitions.

Key elements of the new requirements

Part 0.1 Division 1. General requirements. Written safety procedures – new and existing fishing vessels.

The fishing vessel’s Authorized Representative is responsible to provide written safety procedures for the crew as set out in the new *Fishing Vessel Safety Regulations*. Section 3.16 requires written safety procedures to be established in writing, in English or French or in both, according to the needs of the crew, and put in place to familiarize persons on board. These apply to new and existing fishing vessels. Written safety procedures will help fishing vessel owners and operators better manage safety on board their vessels, and reduce incidents and accidents. To make this process easier, and to help fishing vessel operators complete this task themselves, TC has made simple templates for authorized representatives. Please visit the following TC website to learn more about this requirement.

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

Important Note: All small fishing vessels are subject to the requirements for written safety procedures.

While written safety procedures do not need Transport Canada approval, marine safety inspectors may ask to see copies of the written safety procedures on board the vessel. Masters and Authorized Representatives must ensure that:

- Drills on the safety procedures are held to ensure the crew is proficient in carrying out the procedures at all times.
- A record is kept of every drill

Part 0.1 Division 2. Safety equipment - new and existing fishing vessels.

The requirements are based on a vessel's hull length, operation, and type of voyage. All small fishing vessels must meet the safety equipment requirements.

- Personal life-saving appliances and visual signals are required for all small fishing vessels according to their hull length. See Part 0.1 Section 3.26 and 3.27 for a table of the requirements. For example, different requirements apply for small fishing vessels that have a hull length of not more than 6 m, more than 6 m but not more than 9 m, more than 9 m but not more than 12 m, more than 12 m but not more than 15 m, and more than 15 m.
- Life rafts and other life-saving appliances on small fishing vessels are required according to the class of voyage and hull length. Please see Part 0.1 Section 3.28 for a table of the requirements. The new requirements will provide a range of life saving appliance choice for the operator depending on the vessel length and voyage.
- The requirements for firefighting equipment are based on vessel hull length. Please see Part 0.1 Section 3.37 for a table of the requirements. Different set requirements apply to small fishing vessels that have a hull length of not more than 6 m, more than 6 m but not more than 9 m, more than 9 m but not more than 15 m, and more than 15 m.

Part 0.1 Division 3. Vessel Stability – new and existing fishing vessels.

As of July 13, 2017, the following fishing vessels must successfully undergo a stability assessment by a competent person:

- A vessel that has 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 that has 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.

As of July 13, 2017

- A fishing vessel that is not required to undergo a stability assessment by a competent person, shall have adequate stability to safely carry out the vessel's intended operations. Guidelines will be available on the TC fishing vessel webpages to help small fishing vessel owners and operators meet their regulatory requirements.
- Transport Canada will consider a fishing vessel that the previous *Small Fishing Vessel Inspection Regulations* did not require to undergo a stability assessment, but has undergone

one before July 13, 2017, as meeting the new requirement to have adequate stability **if** the assessment:

- was approved by Transport Canada
 - is up-to-date, and
 - accurately reflects the vessel's configuration and activities
- A fishing vessel of closed construction, more than 15 gross tonnage and used for catching herring or capelin during the period beginning on July 6, 1977 and ending on July 13, 2017 will still need a stability assessment as per the previous *Small Fishing Vessel Inspection Regulations*. Transport Canada will consider a stability assessment conducted during that period as continuing to meet the requirement **if** the assessment:
 - was approved by Transport Canada
 - is up-to-date, and
 - accurately reflects the configuration and activities of the vessel

As of July 13, 2017

- The stability of a fishing vessel that has a hull length of not more than 6 m and its construction was started or that a contract was signed for the construction after July 13, 2018, shall conform to the standards for buoyancy, flotation and stability that are set out in Section 4 of TP 1332- Construction Standards for Small Vessels
- The stability of a fishing vessel that has a hull length of more than 6 m but not more than 9 m and its construction was started or that a contract was signed for the construction after July 13, 2018, shall conform to the recommended practices and standards that are appropriate to the type of vessel and that take into account its intended operations.
- A fishing vessel that is not required to conform to Section 4 of TP 1332 or the recommended practices and standards shall have adequate stability to safely carry out the vessel's intended operations.

Please note that this Ship Safety Bulletin is for communication and educational purposes only. Authorized representatives are reminded to refer to the Regulations.

Additional Information:

- The [*Large Fishing Vessel Inspection Regulations*](#) remain in force and unchanged, until further notice.
- To accommodate the new regulations, the 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.
- Small fishing vessels' Authorized Representative should become familiar with the new requirements and take the necessary steps to ensure they are in compliance.
- Please do not hesitate to contact your local Transport Canada Centre if you have any questions.

References:

- *Canada Shipping Act 2001 – Small Fishing Vessel Inspection Regulations*
- *Fishing Vessel Safety Regulations (Regulations Amending the Small Fishing Vessel Inspection Regulations)*