

Transport Canada *Fishing Vessel Safety Regulations (FVSR)*

Atlantic Policy Congress



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Introduction - What's New?

The new *Fishing Vessel Safety Regulations* were published in the *Canada Gazette*, Part II on July 13, 2016, and came 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.

Regulatory Requirements represent the minimum level of safety!

Responsibilities

The *Canada Shipping Act, 2001* outlines the vessel owners **obligations** for understanding the regulatory requirements that apply to their vessel / operation, and for ensuring they comply at all times. (ref CSA 2001 s.106)

From FVSR

Responsibility

*3.02 Unless otherwise indicated in this Part, the **authorized representative** (AR - aka Owner) and the **master** of a fishing vessel shall ensure that the requirements of this Part are met.*

Responsibilities

The AR is responsible to ensure **Safe Operation** of the vessel by:

- Ensuring it is designed, constructed and equipped to operate safely and be seaworthy in its area of operation (s.3.03)
- Prohibiting operation: Freezing spray warnings and accumulated ice management (s.3.05)
- Not exceeding design limitations (s.3.07)
- Not operating carelessly (s.3.08)
- Not jeopardizing safety: Lifejackets/PFD's to be worn in conditions that could jeopardize safety (s.3.09)

Addressing Known Safety Risks

2018 Transportation Safety Board (TSB) Watchlist

“Every year, safety deficiencies onboard fishing vessels continue to put at risk the lives of thousands of Canadian fish harvesters and the livelihoods of their families and communities. Various initiatives have sparked the development of a safety culture within the industry, but progress has been slow, sporadic, and localized.”

- *63 fishing fatalities from 2011 to 2017 (17 in 2018)*
- *43% were due to falling overboard*
- *35% stability-related*

***PFD use could not be ascertained in about 80% of the fatalities.*

Addressing Known Safety Risks

To reduce the risk of accidents and deaths the FVSR requires:

- The use of PFDs, when safety may be jeopardized
- **Written** safety procedures
- Record keeping (Modifications / Drills / Maintenance)
- Safety Equipment based on vessel **length** and **voyage**
- Stability assessments for **new** vessels
- Adequate stability for **existing** vessels
- Stability Notices for **all** vessel assessed

FVSR 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.

Key Definitions

- New (July 13th, 2018)
- Hull Length
- Major Modification

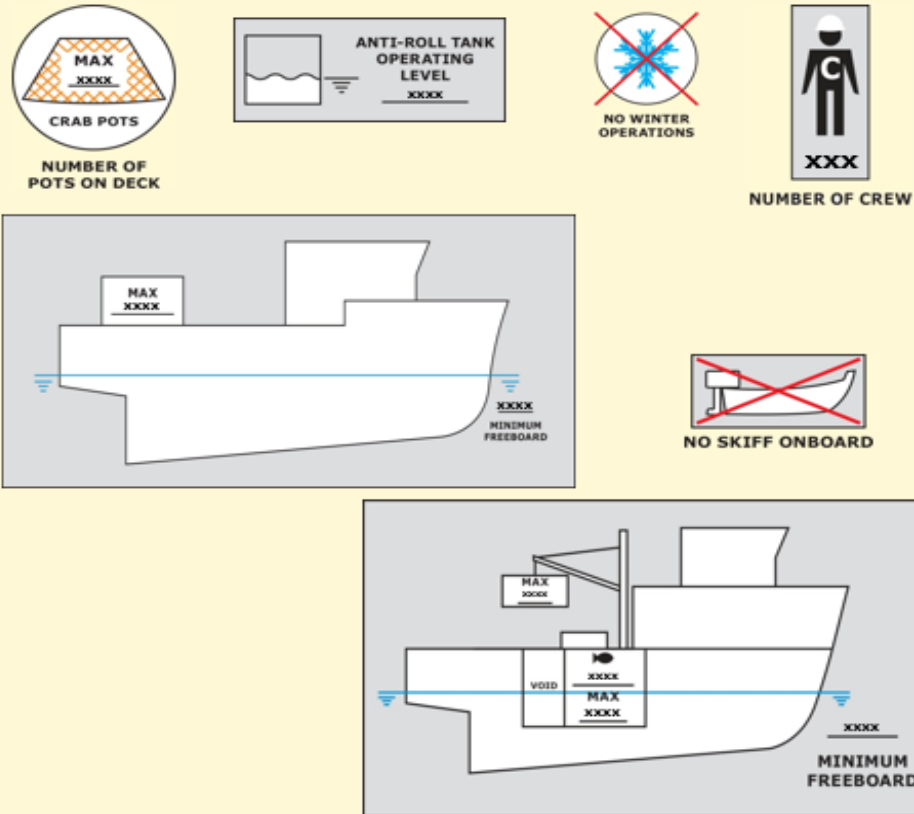
Vessel Stability

Stability Notice

(Example)

STABILITY NOTICE

Vessel Name: XXXX | Vessel Type: XXXX
Fishing Species: XXXX | Source: XXXX



The diagram illustrates various stability requirements for a vessel. It includes icons for: 1) Crab pots, showing a trapezoidal shape with 'MAX XXXX' and 'CRAB POTS' below it, and the text 'NUMBER OF POTS ON DECK' underneath. 2) Anti-roll tank operating level, showing a tank cross-section with a wavy line and 'ANTI-ROLL TANK OPERATING LEVEL XXXX' below it. 3) No winter operations, showing a blue snowflake with a red 'X' over it and 'NO WINTER OPERATIONS' below. 4) Number of crew, showing a person icon with 'XXX' and 'NUMBER OF CREW' below. 5) A side view of a vessel with 'MAX XXXX' on the deck and 'XXXX MINIMUM FREEBOARD' on the hull. 6) A crossed-out icon of a vessel with a skiff on deck and 'NO SKIFF ONBOARD' below. 7) A detailed side view of a vessel showing 'MAX XXXX' on the deck, 'VOID' in a lower compartment, 'MAX XXXX' in an upper compartment, and 'XXXX MINIMUM FREEBOARD' on the hull.

NOTES:

- PLACEMENT OF DECK EQUIPMENT MUST NOT INTERFERE WITH FREEING PORTS
- ENSURE FREEING PORTS ARE FREE AND CLEAR AT ALL TIMES
- FISHING GEAR TO BE KEPT AS LOW AS POSSIBLE
- DURING CARGO/LIFTING OPERATIONS KEEP HEEL/LIST TO A MINIMUM

Statutory Requirement

For vessels over 15 GT, Periodic Inspections and Certification are required.

Vessels 15GT and less, do not required an inspection or certificate, but are still required to comply with the applicable regulations.

Small Vessel Compliance Program Fishing Vessels (SVCP-F)

SVCP-F is a program that will provide owners and operators of small fishing vessels with tools and guidelines to help them:

- ensure their vessels meet the requirements of regulations that apply to them; and
- monitor the compliance of vessels enrolled in the program



Next Steps

Phase II of the FVSR is currently being consulted on through the Canadian Maritime Advisory Council (CMAC) process.

Phase II of the FVSR will;

- address fishing vessel construction up to 24.4m in length or 150GT.
- address existing vessels through Critical Safety Elements and TSB recommendations.

Existing vessels will continue to be required to meet Part I and Part II of the current FVSR, until a major modification is undertaken.

Next Steps towards Phase II of the FVSR are to;

- Consider and Incorporate stakeholder comments received.
- Further develop requirements.

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>

Authorized Representatives should visit the webpage to stay up to date with the latest information. (Google Search – **Small Fishing Vessel Safety**)

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 !

**Rob Freake – Atlantic Fishing Vessel
Representative for TCMSS.**

Rob.Freake@tc.gc.ca