Transport Canada Transports Canada

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SHIP SAFETY BULLETIN

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Subject: **2003 Interim Small Vessel Compliance Program**

This Bulletin replaces Bulletin No. 04/2001.

Introduction

Every year in Canada, marine accidents can be prevented or mitigated by appropriate safety measures that reduce risk and eliminate unsafe operations.

This bulletin provides guidance to small vessel owners and operators regarding crewing, construction, and safety equipment requirements applicable to vessels not more than 15 tons gross tonnage, carrying 12 or fewer passengers, that, when applied properly, can reduce the likelihood and severity of incidents.

The bulletin also describes the inspection regime that will promote compliance with the regulations.

The bulletin does not supersede the applicable Acts, Regulations, and technical standards. Small vessel owners and operators should familiarize themselves with all the requirements for the vessel and its intended operation.

Purpose

The 2003 Interim Small Vessel Compliance Program, as described herein, comes into force 01 January 2003. The 2003 program continues the phase-in of safety requirements for small vessels underway since 1998. It replaces the Interim Small Passenger Vessel Compliance Program that was in effect from April 2001 to December 31, 2002. The 2003 interim program will be in effect until amendments to the *Small Vessel Regulations* come into force later in 2003.

Keywords:

1. Inspection
2. Small Vessels
3. SVMIP

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Canada

Background

Changes to the Canada Shipping Act in 1998 and 1999 led to new inspection requirements for many small vessels. Many vessels operating as charter vessels were reclassified as passenger vessels and became subject to the regulations for commercial vessels. The first Interim Passenger Vessel Compliance Program of 1999 was established to communicate the requirements for small vessels and to move these vessels closer to compliance.

The 1999 program was updated in 2001. The Interim Small Passenger Vessel Compliance Programs of 2001 continued the progressive phase-in of requirements for small passenger vessels of not more than 60 tons gross tonnage, carrying up to 49 passengers. The 2001 program introduced new requirements including lifesaving equipment, stability, mechanical and electrical requirements, and a new program for the inspection of small passenger vessels of not more than 15 tons gross tonnage, carrying no more than 12 passengers.

The 2003 Interim Small Vessel Compliance Program is the third in the series. Consistent with the programs of 1999 and 2001, the 2003 program continues the development of construction and safety requirements for small vessels and continues the phase in of these requirements in a progressive manner.

Requirements for vessels of more than 15 tons gross tonnage and for vessels carrying more than 12 passengers are defined in the regulations. These vessels should now be compliant with the requirements and participating in a periodic inspection program. Thus the focus of the 2003 program will shift to vessels below this threshold.

The 2003 Interim Small Vessel Compliance Program will bridge the gap until the current *Small Vessel Regulations* have been amended and the requirements for vessels of not more than 15 tons gross tonnage are in place later in 2003. The amended *Small Vessel Regulations* will include a progressive, logical set of safety requirements, and incorporate *TP 1332 – Construction Standards for Small Vessels* by reference. Consultations with industry are underway to amend the lifesaving equipment carriage requirements and the stability requirements. Information about the updated requirements will be available by mid-year 2003.

After the *Small Vessel Regulations* have been amended and *TP 1332* is in place, work to improve small vessel safety regulations will shift to Regulatory Reform. Regulatory Reform is the term used for the initiative to completely overhaul the suite of regulations under the existing *Canada Shipping Act*. This work is required to bring the *Canada Shipping Act 2001* into force.

General

Any questions regarding the 2003 Interim Small Vessel Compliance Program should be addressed to the nearest Marine Safety office. A list of offices and contact numbers is provided in Appendix E to this bulletin. No action should be taken to modify a vessel without first consulting a Marine Safety office.

In applying this program, Marine Safety has developed internal training courses and guidelines for use by Marine Safety Inspectors that will ensure consistent application across Canada. Voyage limitations, seasons of operation, and other factors will be taken into account in assessing overall safety levels.

Scope

The 2003 Interim Small Vessel Compliance Program applies to all non-pleasure vessels, other than fishing vessels, of not more than 15 tons gross tonnage that carry no more than 12 passengers, and that are engaged in domestic voyages.

Application

The 2003 Interim Small Vessel Compliance Program consists of three distinct parts:

1) Licensing and Registration: All small non-pleasure vessels must either be licensed or registered, as described on the Transport Canada web site. The databases of licensed and registered vessels will provide information to the other parts of the program.

2) Small Vessel Safety Requirements: The *Small Vessel Regulations* list the safety equipment requirements for small vessels. *TP 1332 - Construction Standards for Small Vessels (January 2002 edition)*, which is available on the Transport Canada website or from a Marine Safety office, is the main document against which small vessels will be inspected. For ease of reference, the following information is appended:

i) Guidelines for stability - Appendix A;

ii) Guidelines for lifesaving equipment – Appendix B;

iii) Guidelines for crewing – Appendix C;

iv) Guidelines for radio communication equipment – Appendix D;

v) Transport Canada Marine Safety Offices – Appendix E.

3) Small Vessel Inspection Regime: The Small Vessel Monitoring and Inspection Program (SVMIP) has been revised to incorporate experience gained under the Interim Small Passenger Vessel Compliance Program and public consultations through the Canadian Marine Advisory Council (CMAC). The SVMIP is described on the Transport Canada web site. Requirements for vessels subject to the SVMIP include:

i) for new construction, an inspection by Marine Safety during construction and a First Inspection prior to entry into service;

ii) for existing vessels, an Initial Inspection as soon as this can be scheduled;

iii) all vessels are subject to spot checks and random inspections.

The responsibility for requesting an inspection rests with the owner or operator under the terms of the *Canada Shipping Act*. When any inspection is requested, Marine Safety will conduct an inspection to determine the degree of compliance with regulations and standards. An inspection checklist has been developed to assist in the preparation of a vessel for inspection. The checklist is available on the Transport Canada website or from Marine Safety offices. Vessel owners are recommended to consult this list and the applicable regulations and standards prior to an inspection in order to minimize the need for follow-up inspections.

New vessels must either comply fully or demonstrate that an equivalent or greater level of safety has been achieved by other means.

An existing vessel that complies fully need not take any other action. However, if it does not comply, it must either demonstrate that an equivalent or greater level of safety has been achieved by other means, or else be modified to:

a) meet the requirements of the construction standards; or

b) meet the requirements of the construction standards insofar as it is reasonable and practicable to do so.

The timeframe for, and extent of, any required modification will be determined based on the extent of the non-compliance and the associated risk.

Transport Canada website: http://www.tc.gc.ca/marine

Appendix A

GUIDELINES FOR STABILITY

In addition to the requirements for towboats and vessels equal to or less than 6 metres in length, the following requirements from Ship Safety Bulletin (SSB) # 04/2001 remain in place until the Small Vessel Regulations are amended:

Vessels should be inclined and trim and stability data submitted in accordance with the *Hull Construction Regulations* and the *Stability, Subdivision and Load Line Standards (TP 7301)*.

If stability data is unavailable an Inspector may, if satisfied, postpone this requirement for vessels not subject to damaged stability requirements and/or carrying not more than 12 passengers, subject to the following four conditions:

1. A period of roll test, in accordance with STAB 2, Appendix B of TP 7301 or preferably an inclining test, if appropriate, should be conducted to assess GM and GZ at 5º in worst operating loading condition.

2. A simulated passenger heeling test with passengers crowding on one side, assuming passenger density of 4 per sq. metre, should be conducted to assess the worst combination of trim and stability. This test should be conducted incrementally.

3. A demonstration of the sea-keeping characteristics of the vessel shall be carried out in calm water to the satisfaction of the Marine Safety Inspector.

   The demonstration shall simulate the loaded passenger condition. During the demonstration the vessel shall be brought up to full speed incrementally and the rudder operated hard over to hard over with steady state condition being attained in each phase. During this manoeuvre the deck edge shall not be submerged.

   If the vessel does not meet the foregoing criteria, the passenger load and/or the speed shall be incrementally reduced until the criteria is met.

   If compliance is dependent upon speed restriction, a notice shall be posted in the wheelhouse, the tachometer suitably marked, and the certificate endorsed accordingly.

   In the event compliance is achieved by a reduced passenger load, then the certificate shall be limited to the equivalent number of passengers on the basis of 63.5 kg per person for un-berthed passengers and 74.8 kg per person for berthed passengers.

4. Successful past passenger operations under similar conditions and number of passengers may be considered.

Note: Since the stability guidelines in SSB # 04/2001 require an inclining experiment without specifying the criteria, the ISO stability approach, using a heeling test, is more practical for vessels over 6 metres in length. Based on consultations with the Canadian Marine Advisory Council (CMAC) stakeholders, there is consensus to apply ISO stability requirements on new vessels over 6 metres in length. Discussions on the application of ISO stability requirements to existing vessels are ongoing. For the period of validity of this bulletin, it is recommended that all new vessels over 6 metres in length meet ISO stability requirements. For existing vessels, the criteria given above will be applied and an update on the recommended stability requirements will be issued upon completion of consultation with the CMAC stakeholders.

The inspector may accept the vessel's stability for this program if satisfied with the above conditions.

General:

With respect to sailing passenger vessels, the acceptance of stability characteristics will be at the discretion of the Regional Director, Marine Safety. The stability characteristics of sailing vessels over 12.0 metres in length are to be in accordance with the Sail Training Vessel Standards (Draft).

Stability of vessels built or converted for towing should be evaluated according to STAB 3 of TP 7301 "Stability, Subdivision, and Load Line Standards".

Vessels up to 6 metres in length should comply with requirements in Section 4 of the TP 1332 "Construction Standards for Small Vessels" (January 2002)."

Appendix B

GUIDELINES FOR LIFESAVING EQUIPMENT

Please refer to the *Small Vessel Regulations*.

For vessels more than 5 tons gross tonnage, the following guidelines, first set out in Ship Safety Bulletin #04/2001, will be applied based on the class of voyage undertaken:,

Definition of Class of Voyage

Class 1:
Inland and Limited Home Trade 3 voyages within 15 miles of a port of refuge and not more than 10 miles off shore.

Class 2:
Inland waters, Minor waters 1, Limited Home Trade 3 not more than 5 miles from home port between May and September as described in the regulations.

Class 3:
Within sheltered waters (Home Trade. IV, Inland or Minor Waters 2) as defined on the certificate.

Lifesaving Equipment Guidelines

Class 1 and Class 2 voyages

- Inflatable life rafts with B emergency pack and/or suitable boat for 100% of the complement.
- For vessels operating on Inland waters, inflatable life rafts with C emergency packs, inflatable platforms and/or suitable boat for 100% of the complement.
- Approved lifejacket of appropriate size for each person onboard.
- Two (2) approved lifebuoys, one fitted with 15m heaving line and one with buoyant light.
- Signalling Appliances, 6 type A or B rockets and 6 type C or D hand flares.

Class 3 voyages

- Inflatable life rafts, inflatable platforms, and/or suitable boat for 100% of the complement. A "Suitable boat" must meet the float free requirements for life rafts described herein.

- **Vessels built before 1996 that are less than 20 metres in length may use buoyant apparatus**, between May and September, where the water temperature exceeds 10 degrees Celsius (under review).

- Approved lifejacket or approved **Small Vessel Lifejacket** of appropriate size for each person onboard.

- Six (6) type B distress signals.

Provision for Life Rafts to Float Free:

Every vessel that is under 25m in length shall carry its inflatable life rafts in a manner that allows the raft to float free when the vessel is submerged. Either of the following methods is acceptable:

(a) placed in sufficiently deep chocks, without lashings, so as to float free if the ship sinks; or

(b) raft secured by a lashing fitted with a hydrostatic release unit.

Please note that the provision for an alternate rescue platform has been removed.

Appendix C

GUIDELINES FOR CREWING

General

This section does not supersede the *Crewing Regulations* and the *Marine Certification Regulations*. These regulations should be consulted for additional information.

All vessels must have a crew that is sufficient and efficient from the point of view of safety of life for the purpose of the intended voyage. There are two dimensions to this: crew competency and crew numbers.

Dependent on the size of the vessel, the area of operation, and the propulsion power fitted, a certified master and/or a certified engineer may be required. If certificated personnel are not required by section 29 (5) of the *Crewing Regulations*, the person in charge of the vessel will be required to demonstrate the necessary level of competency to safely operate the vessel.

The minimum number of crew is a function of the size and type of vessel, the nature of the operation, and the safety and emergency equipment carried by the vessel. Essentially this means that a sufficient number of crew is required to handle emergencies that the vessel may potentially encounter. The emergency duties may include the simultaneous preparation of lifesaving equipment, including life jackets and life rafts, crowd control on passenger vessels, use of emergency communication equipment, and operation of fire fighting equipment.

Every member of the complement of a vessel shall, before the member has completed six months accumulated sea-time aboard ships, obtain a certificate of the member's successful completion of training, at a recognized institution, in marine emergency duties (MED) with respect to basic safety. This provision applies to all vessels regardless of tonnage. Seafarers must register for a basic safety course, either MED A1, A3 or A4, depending on the vessel type and voyage class, by 01 July 2003. Please contact the nearest Marine Safety office for clarification on which course is suitable for a given vessel and voyage. *TP 10655* Transport Canada Marine Safety Directorate Approved Training Courses, available from Marine Safety offices and on the website http://www.tc.gc.ca/MarineSafety/tp/Tp10655/Tp10655e.htm, lists approved courses and course providers. Contact Marine Safety for information about situations where training is not provided in your area.

Passenger Vessels

1. Passenger vessels of not more than 5 tons gross tonnage are not required to carry a certificated master. However the person in charge of the vessel is required to be capable of operating the vessel in a safe manner. During an inspection the Marine Safety inspector will ask questions and may require a demonstration of competence in the running of the vessel in order to be satisfied that any crew and the person in charge has the necessary skills and knowledge to operate the vessel safely for its intended voyage.

2. Passenger vessels more than 5 tons gross tonnage require a certificated master. The class of voyage, as described in the *Home Trade, Inland and Minor Water Voyages Regulations* will determine the minimum level of certification required.

3. Passenger vessels with a propulsive power of over 75 kW are required to carry a certificated engineer. In some cases a dual capacity master / engineer will be permitted.

Non-passenger vessels

1. Non-passenger vessels of not more than 10 tons gross tonnage do not require a certificated master. However the person in charge of the vessel is required to be capable of operating the vessel in a safe manner. During an inspection the Marine Safety inspector will ask questions and may require a demonstration of competence in the running of the vessel in order to be satisfied that any crew and the person in charge has the necessary skills and knowledge to operate the vessel safely for its intended voyage.

2. Non-passenger vessels more than 10 tons gross tonnage require a master with a certificate commensurate with the intended voyage class.

3. Non-passenger vessels with a propulsive power of over 750 kW require a certificated engineer.

Appendix D

GUIDELINES FOR RADIO COMMUNICATION EQUIPMENT

This section does not supersede the requirements of the regulations and technical standards. Please refer to the *Ship Station (Radio) Regulations 1999, Ship Station (Radio) Technical Regulations 1999*, and *TP 2872 - Standards for Radio Installations and Related Equipment* for more information.

1. Passenger Vessels

A vessel carrying more than six passengers on a voyage, any part of which is in a VHF coverage area or more than five miles from shore, must be equipped with a VHF radiotelephone. Similarly, a vessel of more than 8 m in length that is of closed construction must also be equipped with a VHF radiotelephone. Some Minor Waters voyages are exempt from this requirement.

Starting in 2003, vessels of more than 8 m in length of closed construction, must carry a VHF – DSC (Digital Select Calling) radiotelephone on all Home Trade Voyages, except for Home Trade voyages, class IV that are within a Vessel Traffic Services (VTS) coverage area. This does not apply to vessels on inland or minor waters voyages.

In addition, an amendment to the regulations is being prepared that will require all passenger vessels that are not currently required to fit a VHF radio, regardless of area of operation, to have a reliable means of two-way communication. When the amendment comes into force, vessels operating in VHF coverage areas will require a VHF radiotelephone, and vessels operating in areas where VHF coverage is not provided will require some other means of communicating with a responsible party ashore. This could include cellular or satellite telephones (if inside reliable coverage), two-way portable radiotelephones, Inmarsat A, B, C, or M terminals, MF/HF radiotelephony, etc. In terms of inspection, having the operator or master demonstrate the operational readiness of the selected means of two-way communication will be sufficient.

The *Ship Station (Radio) Technical Regulations 1999* (SS(R)TR) require that distress, urgency and safety communications specific to one's own ship be recorded in a radio log. The tests and assessments required by the *SS(R)TR* also must be recorded. Section 43 of the *SS(R)TR* requires that the ship station be tested to ensure it is in good operating condition prior to undertaking a voyage. Marine Safety inspectors may verify compliance with the radio requirements through visual and operational checks. For vessels subject to an annual radio inspection, the inspector need only verify that the vessel has a valid radio inspection certificate, as is the current practice. For vessels not subject to radio inspections, the Marine Safety inspector can verify that the appropriate radio equipment is fitted and is operating by requiring the master to do a radio communication check.

2. Non-Passenger Vessels

All tow vessels and vessels of more than 8 m in length of closed construction, are required to carry a VHF radiotelephone. Some Minor Waters voyages are exempt from this requirement.

Starting in 2003, vessels of more than 8 m in length of closed construction, must carry a VHF – DSC (Digital Select Calling) radiotelephone on all Home Trade Voyages except for Home Trade voyages, class IV that are within a Vessel Traffic Services (VTS) coverage area. This does not apply to vessels on inland or minor waters voyages.

Tow vessels more than 5 tons gross tonnage are required to fit an EPIRB on voyages greater than 50 miles and more than 2 miles from shore, but not if the voyage is a Home Trade voyage, Class IV or a minor waters voyage.

Note: "VHF coverage" and "closed construction" are defined in the interpretation section of the *Ship Station (Radio) Regulations 1999*. A map showing VHF coverage is contained within the publication entitled "*Radio Aids to Marine Navigation*", which can be viewed at http://www.ccg-gcc.gc.ca/mcts-sctm/ramn_e.htm

Appendix E

Transport Canada Marine Safety Offices

Email: shipsafety@tc.gc.ca

(for all offices)		**Telephone**	**Fax**
ATLANTIC REGION			
Transport Canada Marine Safety 45 Alderney Drive, 14th Floor Queen Square, P.O. Box 1013 Dartmouth, Nova Scotia B2Y 4K2			
Nova Scotia	Dartmouth	(902) 426-9321	(902) 426-6657
	Port Hawksbury	(902) 625-0803	(902) 625-1722
	Sydney	(902) 564-7002	(902) 564-7648
	Yarmouth	(902) 742-6860	(902) 742-6866
New Brunswick	Bathurst	(506) 548-7491	(506) 548-7180
	Saint John	(506) 636-4748	(506) 636-4756
Newfoundland	St. John’s	(709) 772-5166	(709) 772-0210
	Corner Brook	(709) 637-4390	(709) 637-4391
	Lewisporte	(709) 535-2503	(709) 535-8297
	Marystown	(709) 279-2201	(709) 279-1188
P.E.I.	Charlottetown	(902) 566-7987	(902) 566-7991

Transport Canada Marine Safety Offices (cont'd)

	Telephone	Fax
QUEBEC REGION		
Transport Canada Marine Safety Gare Maritime Champlain 901, Cap Diamant, 4e Étage Québec, PQ G1K 4K1		
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Montréal	(514) 283-7056	(514) 283-6595
Rimouski	(418) 722-3040	(418) 722-3332
Gaspé	(418) 368-2444	(418) 368-7022
Cap-Aux-Meules (Iles-De-La-Madeleine)	(418) 986-6275	(418) 986-4751
Port-Cartier	(418) 766-2758	(418) 766-8711
Sept-Îles	(418) 968-4991	(418) 968-5516
Baie-Comeau	(418) 296-3524	(418) 296-6680
Inukjuak	(819) 254-0160	(819) 254-0159
ONTARIO REGION		
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Sarnia	(519) 383-1826	(519) 383-1997
Collingwood	(705) 445-3320	(705) 445-9531
Toronto	(416) 954-8890	(416) 954-5265
Kingston	(613)-545-8676	(613) 545-8714
St. Catharines	(905) 688-4360	(905) 688-6285
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Alberta	Edmonton	(780) 495-4023	(780) 495-6472

PACIFIC REGION			
Transport Canada Marine Safety 800 Burrard Street, Suite 700 Vancouver, British Columbia V6Z 2J8			
British Columbia	Vancouver	(604) 666-5300	(604) 666-5444
	Prince Rupert	(250) 627-3045	(250) 624-9305
	Victoria	(250) 363-0394	(250) 363-0330
	Nanaimo	(250) 754-0244	(250) 754-0245