Minutes of the Public Consultations
concerning
Regulatory Reform and
Fishing Vessel Safety Regulations

Transport Canada, Marine Safety
Quebec Region

DATE: February 23 and 24, 2005

PLACE: Hôtel Rimouski
Convention Centre

**PRESENT**

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1. **Project Background and Context by Elisabeth Bertrand**

Elisabeth Bertrand explained the process for reviewing the Fishing Vessel Safety Regulations as part of the Regulatory Reform. She outlined the history, approach, objectives and principles of the Project.

- Gabrielle Landry asked what Transport Canada planned to do to ensure that the new Regulations and Construction Standard were implemented uniformly in various regions. She explained that there was currently a major problem in implementing the fishing vessel regulations. There was a huge gap between the Maritime Provinces and Quebec, which was causing significant harm to the Quebec fishing industry.
  
  Elisabeth Bertrand explained that the new Regulations and Standard would be more specific, which should lower the risks of misinterpretation. Transport Canada would also make sure that inspectors were given training to implement the new Regulations and Construction Standard.

- Mario Déraspe lamented the fact that there had been no consultations in the region (Magdalen Islands).
  
  Elisabeth Bertrand explained the consultation procedures.

- Jean-François Martel asked whether there were new requirements for vessels under 15 tonnes.
  
  Elisabeth Bertrand informed him that there would be new requirements and that they would be explained in detail during the two days of consultations.

- Herman Synnott asked whether the lack of uniformity in applying the Regulations arose from the fact that Quebec used the Civil Code, while the Maritime Provinces used Common Law.
  
  Elisabeth Bertrand replied that these law systems had no impact on the implementation of the Regulations, which fell under the Canada Shipping Act.

- Jimmy Joncas asked whether impact studies had been conducted, as they were supposed to be, before the new Regulations and Construction Standard were to come into effect.
  
  Elisabeth Bertrand replied that the process included plans to carry out impact studies.

- Jean-François Martel asked whether the number of deaths in the fishing community justified the implementing of new Regulations and the installation of additional equipment on vessels. He asked whether Transport Canada had statistics.
  
  Robert Fecteau replied that the Quebec statistics were fortunately very good, which was unfortunately not the case across Canada.
  
  André Audet, Search and Rescue, Canadian Coast Guard, provided a few statistics on fishing vessel accidents in Quebec in the past five years.
Gabrielle Landry said that a regional committee made up of Quebec fishing industry people would be set up to better represent Quebec’s interests vis-à-vis the working groups. Michel Journeault expressed his support for this measure.

Robert Fecteau reminded participants that during the last consultations held in November 2003, a decision had been made to jointly set up a regional committee on fishing vessel safety with Transport Canada, the Canadian Coast Guard and the industry. The proposal was still in the works and industry people interested in setting up the committee were welcome to participate and should come forward.

2. **Presentation on the Proposed Fishing Vessel Safety Regulations by Robert Fecteau**

Robert Fecteau gave a presentation on the proposed new Regulations.

**General outline and responsibilities**

- Herman Synnott asked whether the requirement to post diagrams on vessels longer than 15 metres was applicable to existing and new vessels.
  
  Robert Fecteau explained that this was not currently specified in the Regulations.

- Several participants asked that viable deadlines be provided for implementation of the Regulations. A deadline schedule should be drawn up to help existing vessels comply.
  
  Robert Fecteau explained that this had already been done for certain aspects and the Working Group was expected to effectively clarify how the new Regulations were to be implemented for existing vessels.

- Jean-François Martel asked whether captains were responsible for providing rescue equipment.
  
  Robert Fecteau explained that captains were responsible for having equipment required by the Regulations on board.

**Voyage class and safety equipment**

- Allen Cotton asked that Home-Trade Voyage Class 2 vessel owners be allowed to choose between immersion suits and thermal protection suits. He said that most vessels in this class were already equipped with thermal protection suits because Transport Canada had made it mandatory that these suits be placed on board when vessels were equipped with rigid life rafts.
  
  Robert Fecteau reminded participants that this request had been made during the consultations of November 2003 and that the request had not been retained unfortunately. He explained that the request would be resubmitted to the Working Group.

- Several participants said that eliminating the 15-tonne cut-off in the Regulations and the new requirement for lifesaving equipment based on voyage class would be very prejudicial to
existing vessels under 15 tonnes. Owners of these vessels would have to spend considerable amounts of money to acquire the required new equipment.

Robert Fecteau explained that the lifesaving equipment requirements were now established according to the type of home-trade voyage undertaken by a vessel (distance from the coast) and no longer according to vessel dimensions (+ or –15 tonnes), except for Class 3, for which there were some cut-offs in the case of vessels more than and less than 12 metres in length. The new requirements were therefore determined according to the risk to which the vessel was exposed rather than according to vessel type, which was much more realistic and provided a more appropriate degree of safety for fishers. The lifesaving equipment required for some vessels under 15 tonnes operating at considerable distances from the coast was clearly insufficient.

- Jimmy Joncas asked for the definition of length overall that was used. He explained that it was important that this length be clearly defined and that it should be same as the definition in the Tonnage Regulations.
  
  Robert Fecteau explained that there was no definition of length overall in the current draft of the Regulations.
  
  Guy Anderson pointed out that there was a definition of length overall in the Construction Standard, which he read out.

- Robert Parent asked whether appendages, like breasthooks (deck extensions) and bulbs, were included in length overall.
  
  Robert Fecteau replied that these appendages would not normally be included.

- Jimmy Joncas reminded participants that deck extensions attached to vessel hulls as well as some appendages were not included in the length overall currently used by Fisheries and Oceans Canada (DFO) and Transport Canada (TC). He said that these appendages should not be included in the length and thus result in a change of vessel classification. He explained that the definition had to be developed carefully. He recommended that parts that were not submerged should not be considered in the length overall.
  
  Robert Fecteau assured participants that these comments would be taken into consideration by the Working Group when it drafted the final definition of length overall.

- Michel Noël lamented the fact that the DFO and TC were not in agreement on the length issue. Several participants agreed with him and everyone asked that that the two departments harmonize their policy.
  
  Jean-Marc Nadeau of the DFO said that the DFO was already using a definition of length overall and that it would indeed be a good thing for the two departments to discuss how they could harmonize their practices.
  
  Robert Fecteau explained that the Working Group would be informed of it to ensure that every effort was made to harmonize the two departments’ definitions.
  
  Ian Campbell said that discussions had already been held between TC and the DFO at the national level in order to harmonize some requirements of both departments. He
explained that these discussions would continue. He would report concerns raised about
the issue and the importance of continuing with the measures taken by TC and the DFO.

- Jean-François Martel questioned the new 12-metre limit that would replace the current
15-tonne limit. He said specifically that many 12-metre vessels were currently in the under-
15-tonne class, that this new limit would change the class of these vessels, and that they would
now be considered as being more than 15 tonnes. He said that this change would raise the cost
of compliance with the new requirements. He asked who had made this decision.

Robert Fecteau explained that this change had been requested by the industry, which had
requested for some time that the number of cut-offs in the Regulations be reduced and,
in particular, that tonnage, which was much too complicated a method of measurement,
be replaced by length.

- Michel Noël said that using 12 metres as a cut-off was not realistic because this length was
not representative of any fishing vessel in Canada. Because our construction standards were
still in imperial measurements and vessels were still being built so as to be just below the
limit for a class (eg, 34 feet, 11 inches and 64 feet, 11 inches), the new cut-off would have to
take these practices into account and correspond to an existing vessel class. Because the limit
closest to 12 metres was 40 feet, the new cut-off would have to be 12.2 metres. Thus existing
vessels measuring 39 feet, 11 inches would not change class. Most of the participants
supported this proposal.

Robert Fecteau confirmed that at the very beginning of the reform process, the length
mentioned in the drafts had been 12.2 metres in order to correspond to the 40-foot
length. However, it seemed that this dimension had been shortened to 12 metres to arrive
at a round number. He said that this proposal would be submitted to the Working Group
and that the necessary pressure would be applied to change the limit back to 12.2 metres.
He said, however, that it would be difficult to have this change made.

- Jean-François Martel said that many fishers did most of their fishing within the five-mile
limit. However, for short periods of time, they might be expected to fish for some species
outside the five-mile limit. They would therefore have to invest in acquiring the same
equipment used by vessels that always fished outside the five-mile limit.

Robert Fecteau replied that unfortunately, yes, they would have to have the required
equipment on board for the voyage. There was no distinction made between whether a
fisher carried out this voyage once or several times.

- Émilien Dorion asked how Transport Canada was going to ensure that fishers and their crews
wore life jackets while in open waters.

Robert Fecteau reminded participants that the new Regulations would specify the
responsibilities of captains and crew members and that it would be their responsibility to
wear life jackets, as required in the Regulations.
Construction

- Yvon Sénéchal of the Canadian Welding Bureau (CWB) said that the requirement that welders be certified by the CWB was one thing, but it would not really guarantee quality unless firms were certified. When firms were certified, they also had to meet requirements involving supervision and approval of welding procedures.

- Michel Journeault said that the marine shipyards he represented agreed with the requirement that welders had to be certified by the CWB.

- Allen Cotton asked whether there were currently any problems with the welding done on vessels and whether this made it necessary to adopt the welder certification requirement. He said he feared that such requirements would increase vessel construction costs.

- Jean-François Martel said that the requirement that certified welders be used would have to be clarified. For example, would the requirement apply to welding work on fishing gear and would certified welders have to be used for work on secondary components of vessels, such as guardrails and masts? He suggested that the requirement should only apply to welding work on vessel hulls.
  
  Robert Fecteau said he found the suggestion worthwhile and that it would be submitted to the Working Group, which would be asked to clarify the scope of the requirement.

- Émilien Dorion said it was also necessary to clarify the requirement that workers be used who had been given training in how to carry out fibreglass work (moulding and laminating) because the techniques for minor repairs were fairly simple and uninitiated persons could easily carry out certain tasks. He suggested that this requirement be made applicable only to hull construction or major changes to hulls.
  
  Robert Fecteau said he found the suggestion worthwhile and that it would be submitted to the Working Group.
3. **Presentation on Proposed Inspection Systems for Fishing Vessels by Robert Fecteau**

Robert Fecteau gave a presentation on current inspection systems and proposed inspection systems for checking fishing vessel compliance. Because the proposed systems complied with current practices in the Quebec Region, there were very few responses or comments from participants.

4. **Presentation by Laurent Chénard, Environment Canada**

Laurent Chénard gave a presentation on the results of the national survey conducted by Environment Canada regarding changes to be made to marine forecasts, and explained the reform of weather services.

5. **Presentation on Proposed Stability Requirements (Regulations and Standard) by Guy Anderson**

Guy Anderson gave a presentation on the proposed Regulations and Standard for fishing vessel stability.

- Jean-François Martel said he found it unacceptable that 12-to-14-metre vessels used for herring fishing should be required to have a stability booklet. He said that this would lead to significant costs for owners of these vessels and that this type of fishing was a sideline for the most part and not really profitable.
  
  Guy Anderson explained that this requirement only applied to vessels transporting herring and capelin in bulk.

- Several participants asked questions about the term “in bulk” and how it should be interpreted. They all asked for a more specific definition.
  
  Guy Anderson explained a few principles to be used in determining whether or not the transport was in bulk, but confirmed that the definition would have to be more detailed.

- Michel Noël explained that the hazard in herring fishing was deck cargoes. Instead of requiring stability booklets, it would be better to prohibit the storing of fish on deck and to limit loads through the use of load lines.

- Jimmy Joncas said that it was not logical to specify the dates of the freeze-up period (December 1 to March 31) because freeze-up conditions could occur outside this period. Owners fishing before April 1 would consequently be required to submit stability booklets. He suggested that no time limit be placed on the freeze-up period, and that vessels without stability booklets containing freeze-up conditions should simply be told that they cannot operate if there is a risk of freeze-up. It would therefore be the responsibility of captains to
make sure, using available methods, that they did not encounter possible freeze-up conditions during their planned voyages.

- Gilles Vigneau said that the requirement of a stability booklet for all vessels sailing more than 25 miles from the coast was very restrictive and would penalize many fishers. This requirement was also commented upon and contested by many participants.

- Mario Déraspe suggested that the stability booklet requirement should not apply to existing vessels because they demonstrated through experience that they had adequate stability. Guy Anderson explained that the fact that a vessel had not had a previous accident involving its stability did not at all guarantee that the vessel had sufficient, adequate stability for all operating conditions it might encounter.

- Jimmy Joncas said it was false to say that stability booklets for existing vessels would cost between $5,000 and $10,000 because many vessels that did not have a lines plan would incur additional expenses in order to upgrade their vessel lines and produce a lines plan. Moreover, it would often be necessary to add the costs of having draught marks applied because many vessels did not have any. In many cases, stability book-related expenses for an existing vessel could easily go as high as $20,000.

- Camille Leblanc asked whether sister-ships could use the same stability booklet. Guy Anderson confirmed that this practice would still be acceptable.

- Jimmy Joncas suggested that stability booklets should only be required for new vessels and existing vessels undergoing major changes. Existing vessels should only be subject to simplified stability criteria. All of the participants supported this suggestion.

- Jimmy Joncas asked why Transport Canada would no longer approve stability booklets and would leave full responsibility to the people making calculations. He said that he worried about the impact that this delegation of responsibilities by Transport Canada could have (greater responsibilities for architects and consultants possibly resulting in higher stability booklet costs for insurance reasons; lower quality of booklets and less accuracy of data and information in the booklets).

  Guy Anderson explained that Transport Canada would probably have no choice but to delegate this responsibility, given the large number of stability booklets that would be submitted and the few resources available to Transport Canada for approving them. He said, however, that Transport Canada would nonetheless retain a right of review and conduct random audits and monitoring.
6. **Presentation on New Requirements for the Issuing of Certificates and Training for Fishers by Denis Bélanger**

Denis Bélanger gave a presentation on the proposed changes that would result from the new Marine Personnel Regulations as part of the Regulatory Reform and which would affect sea fishers. He explained that the new requirements for captains would be implemented gradually and he outlined possible options for affected persons. He also outlined the requirements for certificates of service for captains of fishing vessels of less than 60 tonnes. He concluded by explaining the impact that the new voyage classes would have on the validity of fishers’ certificates.

- Michel Noël asked whether the new certificate for small fishing vessels was equivalent to the pleasure craft operator competency card.
  
  Denis Bélanger said they were different certificates and explained the proposed requirements for the new Small Vessel Operator Proficiency Certificate of Training (SVOPCT)

- Jean-François Martel said he was concerned about the possibility of owners and captains no longer being able to operate their vessels for medical reasons.
  
  Denis Bélanger explained that the medical standards were not so strict and that in order to be deemed incapable, a person had to have fairly serious health problems.

- Mario Déraspe asked whether Transport Canada would recognize the fishery professionalization courses currently being given to obtain a SVOPCT.
  
  Denis Bélanger explained that in principle, because these courses were often better than the training that would be given to obtain a SVOPCT, they should be recognized. However, because the Small Vessel Operator Proficiency training would actually be of short duration, ie, one to two days, it would be very complicated and difficult to exempt applicants signed up for sections of the SVOPCT course. For example, how could an applicant be exempted from attending a 20-minute session on weather, even if the applicant had taken three days of training on the topic? He said that the issue of recognizing BAPAP\(^1\) courses should be studied nonetheless.

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\(^1\) Bureau d’accréditation des pêcheurs et des aides-pêcheurs du Québec (Quebec agency responsible for developing and implementing a system of certification for the professional qualifications of fishers and fishers’ helpers).
Day 2

7. **Presentation on New Standards for Life Jackets by Robert Fecteau**

In response to questions raised the day before about the new requirements for life jackets, Robert Fecteau gave a presentation on the new types and categories of life jackets that would be available on the market once the new standards came into effect.

8. **Quebec Region Standing Advisory Committee on Fishing Vessel Safety**

In response to the interest expressed by several participants on the first day in regard to the need to set up a Standing Advisory Committee to more effectively promote Quebec’s position on fishing vessel safety issues, Robert Fecteau suggested that a working group be set up that would have a mandate to develop terms of reference for the Standing Committee and make preparations for setting up the Committee at its first meeting. Robert Fecteau suggested that he himself could participate in this working group as a Transport Canada representative and he asked André Audet of the Canadian Coast Guard to be a member of the working group as well. André Audet agreed to join the working group. Robert Fecteau asked if there were volunteers among the industry representatives who would like to be part of this working group. Michel Journeault and Gabrielle Landry said they were interested and would therefore join the working group.

**Construction standards**

9. **Section 3: Hulls, Watertightness and Protection from the Sea by Alain Blouin**

Alain Blouin gave a presentation on the Construction Standard’s new requirements for the construction of hulls and sealing devices for protection from the sea.

- Jimmy Joncas said that there should be certification standards for marine shipyards and builders. He reminded participants that the Quebec government used to provide certification. He suggested that Transport Canada take over this responsibility from which the Quebec government had withdrawn, and that Transport Canada develop a certification standard for marine shipyards and manage and implement certification procedures. He pointed out that this mechanism already existed for aviation and that Transport Canada could adapt it to marine construction activities.

Several participants agreed with this proposal.
• Michel Noël said that a certification standard for shipyards and builders could have a negative impact on home-built vessels and that this type of construction should remain an option for smaller vessels.

• Jean-François Martel said that the disappearance of home-built vessels would most certainly lead to higher vessel prices.

• Camille Leblanc said that home-built vessels could nonetheless be of acceptable quality if Transport Canada carried out necessary inspections and monitoring, which was not always the case.

• Following these comments, Jimmy Joncas proposed the following amendment: that certification be required only in the case of commercial construction.

• Michel Journeault said that Transport Canada could allocate more resources to monitoring the construction of home-built vessels, if certified shipyards could carry out self-inspections of their products.
  Robert Fecteau explained that this was already possible if the shipyard demonstrated that it had a satisfactory quality control system in place and could demonstrate that it rigorously implemented the system.

• Remy Tremblay said that, unfortunately, the sampling standards of various classification organizations were often poorly suited to fishing vessels and very complex to use. He suggested that Transport Canada develop simplified methods for checking samples in table format. These tables could be made available to builders and designers.
  Robert Fecteau reminded participants that Transport Canada was not a standards organization and that he would be surprised to see Transport Canada take on this responsibility. However, he said that simplified tools for carrying out sample calculations could be developed by the industry and validated by Transport Canada.

• Jean-François Martel said he was against there being a requirement that vessels under 12 metres in length should have coamings with a minimum height of 12 inches for hold hatchways. He said that the deck space of these vessels was already very restricted and that making coamings a requirement would only expose fishers to the risk of work accidents on deck and would damage to nets. He asked that this category of vessel be allowed to have flush-deck hatchways.

• Marcel Cormier said he found it excessive to require minimum heights of 24 inches for coamings in some cases. He suggested that the minimum height be kept to 12 inches. This suggestion was supported by most participants.
  Robert Fecteau said that this suggestion was reasonable and that it would be submitted to the Working Group and upheld.
• Stéphane Loubert asked whether the new Construction Standard would also apply to vessels undergoing major changes.
  Guy Anderson explained that the Standard would indeed apply to new vessels and vessels undergoing major changes.

• Michel Journeault explained that he supported the new requirement for collision bulkheads on vessels longer than 15 metres, but said that he found that the requirement for access openings in bulkheads was very restrictive and not very realistic for this type of construction. He asked that greater flexibility with regard to access openings in collision bulkheads be allowed.
  Robert Fecteau said that this requirement was clearly excessive and that necessary steps would be taken to ensure that a greater number of access openings were authorized for collision bulkheads.

• Mario Déraspe asked why the minimum height for guardrails would be increased to 36 inches. He suggested that the current minimum height of 30 inches be maintained because it had been demonstrated that this height was sufficient to prevent people from falling overboard. This suggestion was supported by all of the participants.
  Guy Anderson explained that the 36-inch height had probably been introduced in order to harmonize with passenger vessel requirements. He said that necessary steps would be taken to lower the minimum height back down to 30 inches.

• Several participants asked questions about the new requirements for wastewater discharges into the St Lawrence River and the Gulf of St Lawrence and asked why they had not been consulted.
  Robert Fecteau explained that these requirements were currently being developed by a working group and that fishers would be consulted before regulations covering wastewater discharges into the River and Gulf were adopted. These consultations would also have to be held very shortly.

10. **Section 6: Ventilation Systems and Cooking, Heating and Other Household Appliances by Bernard Leclerc**

Bernard Leclerc gave a presentation on the Construction Standard’s new requirements for ventilation systems and cooking, heating and other household appliances.

• Claude Dion said there should be a reference to fan motors in Section 8.

• Michel Noël asked why alcohol-burning stoves would no longer be acceptable and asked if accidents had been reported.

• Harold Bernier asked whether gel heaters might be authorized.
• Jimmy Joncas said that before prohibiting the use of some systems, studies should be conducted and supporting data gathered based on incident statistics.

• Several participants suggested that the prohibition of alcohol stoves on board fishing vessels should be removed from the Standard because it had not been demonstrated that this system posed a hazard.
  Robert Fecteau said that this request was quite legitimate and assured them that necessary measures would be taken to remove this requirement.

• Claude Dion said that specific requirements should be set out for potholders on stoves.

• Gilles Vigneault said it was ridiculous to prohibit the installation of cooking equipment in crew dormitories, considering that the only space available on most fishing vessels was the crew’s quarters, where the beds were, near the fronts of the vessels. He suggested that this requirement be removed from the Standard. Many participants supported this suggestion.
  Robert Fecteau said that this requirement was unrealistic and assured participants that necessary measures would be taken to have it removed.

11. Section 7: Fuel Supply Systems by Bernard Leclerc

Bernard Leclerc gave a presentation on the Construction Standard’s new requirements for fuel supply systems.

• Stéphane Loubert said he was concerned about the prohibition of diesel fuel tanks in engine rooms. He said that because of the limited available space on small fishing vessels, there was often no other place to put them and that diesel fuel tanks had to be placed in the engine rooms. He suggested that this prohibition be removed from the Standard. Most of the participants supported this suggestion.
  Robert Fecteau said there were good grounds for this request and that measures would be taken to remove this prohibition from the Standard.
12. Section 8: Electrical Systems by André Godin

André Godin gave a presentation on the Construction Standard’s new requirements for electrical systems.

- Harold Bernier suggested that a working group made up of Transport Canada representatives and ship electricians be set up to review and amend Section 8.
  Robert Fecteau said that there had been plans to set up an internal working group at Transport Canada (Quebec Region) to study Section 8 in greater detail and make recommendations for amendments. Transport Canada’s regional proposal could then be submitted to the industry for comments. However, he reminded participants that they were currently in consultations and that if participants wanted amendments to Section 8, now was the time to say what they wanted.

- Harold Bernier asked for reasons why UL/ULC approved equipment was no longer acceptable. He suggested that Transport Canada should continue to recognize UL/ULC approval.
  André Godin said that there was a contradiction in the Standard with respect to this matter and that the matter had to be clarified. He explained that UL/ULC approval should continue to apply.

- Jean-François Martel asked whether many accidents caused by lightning had been reported on vessels and whether it was really necessary to have so many requirements for lightning protection.

- Harold Bernier asked whether there were possible alternatives to the requirement to use a colour code.
  André Godin said that the Standard only stipulated the colour code to be used and provided no alternative.

- Marcel Cormier asked whether tests for insulation resistance (megger tests) would still be required every four years.
  André Godin explained that the new Standard would keep the requirement that megger tests be conducted every four years.

- Jimmy Joncas suggested that megger tests be required only during vessel construction and when repair work or changes were carried out. He said that this requirement did not really improve safety and was a substantial periodic expense for fishers.

- Michel Jouneault suggested that manual fire alarm stations and public address systems be required only on vessels longer than 20 metres. Vessels shorter than 20 metres usually had a set-up that did not require this type of equipment.
13. **Section 9: Mechanical Systems by André Godin**

André Godin gave a presentation on the Construction Standard’s new requirements for mechanical systems.

- Camille Leblanc suggested that the requirement for a permanent method for immobilizing the rudder in a stationary position in the event of a breakdown be removed from the Standard because all of the participants considered the requirement superfluous.

- Michel Noël, supported by several participants, suggested that Jabsco-type pumps with rubber impellers continue to be acceptable for fishing vessels less than 15 metres long. He said that this type of pump had always been used on small fishing vessels and that its use had always been tolerated by Transport Canada. Owners and operators were familiar with the problems of impellers, which burned up quickly if they ran out of water, and they took necessary precautions to prevent this situation from occurring by keeping the seawater intake valve half open when using the pumps to remove water from the lower parts of vessels. Prohibition of these pumps would greatly increase the costs of pumping systems on small vessels.

- Michel Journeault said that the requirement that fishing vessels be equipped with retention tanks for oily wastewater would result in substantial additional vessel construction costs and that this requirement would be very difficult to meet because of the very limited onboard space available for the addition of tanks. He suggested that this requirement be withdrawn. Several participants supported this suggestion.

- Jean-François Martel said he was concerned about the availability of Transport Canada-approved plastic tubing in the region. He said that in many regions, businesses and suppliers did not provide a large choice of materials. Prohibition of ABS and PVC-type tubing could therefore cause a supply problem, and he explained that metal tubing was not a worthwhile alternative because of its low resistance to corrosion.

14. **Section 10: Fire Protection Systems by Alain Blouin**

Alain Blouin gave a presentation on the Construction Standard’s new requirements for fire protection and firefighting systems.

- Michel Journeault said that the installation of fire insulation should not be a requirement for steel vessels equipped with stationary fire-extinguishing systems.

- Jimmy Joncas said that the requirements in the Standard were somewhat excessive because the same requirements applied to vessels carrying passengers. He suggested that this section of the Standard be revised and that alternatives be proposed. For example, in some cases, an owner should be able to choose between a passive system (insulation and detection) and an
active system (stationary fire detection and extinguishing system). All participants supported this suggestion.

Robert Fecteau said that it appeared they had introduced the same requirements as those for passenger vessels. He explained that a suggestion would be submitted to the Working Group to have the requirements in the Standard made more realistic and alternatives provided for owners.

- Jean-François Martel said he was against the requirement of stationary fire-extinguishing systems on the smallest vessels (under 15 tonnes).

- Robert Parent said that the requirement that small vessels be equipped with CO₂ systems might be acceptable if systems with portable CO₂ extinguishers were allowed.

- Jimmy Joncas said that if appropriate systems were accepted, such as stationary extinguisher systems, approval and certification procedures would have to be simplified.

15. **General**

- Stéphane Loubert said he was surprised to find that there were no requirements for stabilizers set out in the Standard.

  Guy Anderson explained that the working group concerned with stabilizers had had several discussions, but there had not been enough time to develop requirements for these systems. He said they would surely be included in the Standard very shortly.
16. Conclusion

Throughout the consultations, there were many comments about the lack of harmonization between Quebec inspection practices and those of the Maritime Provinces. Several participants expressed frustration with the non-enforcement of Regulations during fishing vessel inspections in the Maritime Provinces.

Builders and repairers said this situation was very prejudicial to them because it created unfair competition. Because requirements were not enforced in the Maritime Provinces, the cost of building vessels in those provinces was clearly lower than the cost in Quebec. Quebec builders feel they are losing a major share of the market because of this situation, which has persisted for many years.

Although aware that vessels built in Quebec are better quality and provide a better guarantee of safety, fishers feel they are being treated unfairly when regulatory requirements are imposed on them, while not enforced in the Maritime Provinces. They also feel victimized by these new Regulations because they feel they are being brought into force because of the high accident rates of fishing vessels in the other Canadian provinces. These new Regulations will certainly increase fishing vessel construction costs, and Quebec fishers feel they will unfairly have to pay for Transport Canada’s laissez-faire approach in the other provinces. Fishers are generally not opposed to the new Regulations, provided they are enforced uniformly across Canada.

Fishers are also worried about the possible consequences of higher construction costs once the new regulatory requirements come into effect. They fear that the cost of replacing certain types of vessels will become so high that it will call into question some vessel replacement projects. Owners could be forced to keep their boats for longer periods for financial reasons, which would result in ageing fleets and less safety for fishers.

All of the participants in the consultations called for Transport Canada to take measures immediately to correct the situation arising from the non-enforcement of regulations in the Maritime Provinces. They asked that concrete measures be implemented to harmonize practices with those of Quebec. If they saw no changes implemented in the medium term, all of them would be opposed to the enforcement of new regulations and standards and would refuse to comply with new requirements.