
Important note:

This draft version of the Marine Personnel Regulations, 2023 has been provided to Transport Canada for public consultation purposes only. Please note that this draft has not been reviewed by the Legislative Revision and Publishing Services Group of the Legislative Services Branch of the Department of Justice. As such, there may be internal consistency issues, including with numbering and terminology, which will be reviewed at a later date. Placeholders have been used for provisions that require further instructions.

Draft

Marine Personnel Regulations, 2023

Interpretation

1 (1) The following definitions apply in these Regulations.

Act means the *Canada Shipping Act, 2001*. (*Loi*)

Administration means

- (a) in respect of a Canadian vessel, the Minister; and
- (b) in respect of a foreign vessel, the administration of the state whose flag the vessel is entitled to fly. (*Administration*)

air cushion vessel or **ACV** means a vessel designed so that the whole or a significant part of its weight can be supported, whether at rest or in motion, by a continuously generated cushion of air dependent for its effectiveness on the proximity of the vessel to the surface over which it operates. (*aéroglisser*)

assistant engineer means a person, other than a rating, who is in training to become an engineer officer. (*officier mécanicien adjoint*)

ballast control operator has the same meaning as in section 2 of the Annex to IMO Resolution A.1079(28). (*opérateur chargé de la commande du ballast*)

barge supervisor has the same meaning as in section 2 of the Annex to IMO Resolution A.1079(28). (*superviseur de barge*)

chemical tanker has the same meaning as in Regulation I/1 of the STCW Convention. (*bâtiment-citerne pour produits chimiques*)

chief engineer officer means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of a vessel. (*chef mécanicien*)

chief mate means the officer next in rank to the master and on whom the command and charge of the vessel falls in the event of the incapacity of the master. (*premier officier de pont*)

complement means the master and the persons who constitute the crew of a vessel. (*effectif*)

documentary evidence means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the regulations have been met. (*preuve documentaire*)

domestic voyage means

- (a) a sheltered waters voyage;
- (b) an inland voyage;
- (c) a near coastal voyage, Class 2; or
- (d) a near coastal voyage, Class 1 that is carried out exclusively in the
 - (i) Gulf of St-Lawrence and in the Cabot Strait, west of a line that is 25 nautical miles seaward of a straight line joining Cape Canso at 45°18'22" N, 60°56'17" W and Cape Pine at 46°36'49" N, 53°32'30" W,
 - (ii) Queen Charlotte Sound and Hecate Strait, east of a line that is 25 nautical miles seaward of a straight line joining Winifred Island at 50°39'40" N, 128°22'00" W, and Kunghit Island at 51°56' 37" N, 131° 01' 52" W, or
 - (iii) waters that are contiguous to the south east coast of Vancouver Island that are located north of a line joining 48°21'30" N, 125°24'00" W to 48°07'12" N, 126°02'08" W to 49°42' 00" N, 128°04'43". *voyage de navigation intérieure*

domestic waters means the waters in which a domestic voyage is carried out. (*eaux de navigation intérieure*)

engineering watch means a period of responsibility for an engineer officer whether or not the physical presence of that officer in the machinery spaces is required. (*quart machine*)

fishing vessel means a vessel that is used or is to be used for commercially catching, harvesting or transporting fish or other living marine resources but does not include a vessel that is 24 m or more in length whose sole participation in those activities is in respect of the catch or harvest of another vessel or aquaculture facility. (*bâtiment de pêche*)

function means a group of tasks, duties and responsibilities, necessary for vessel operation, safety of life at sea or protection of the marine environment. (*fonction*)

Great Lakes Basin means the waters of the Great Lakes, their connecting and tributary waters and the St. Lawrence River as far as the lower exit of the St. Lambert Lock at Montréal in the Province of Quebec. (*bassin des Grands Lacs*)

high-speed craft means a craft certified by the Administration as meeting the requirements of the HSC Code. (*engin à grande vitesse*)

hours of rest means rest time outside hours of work and does not include short breaks of less than 30 minutes. (*heures de repos*)

hours of work means time during which seafarers are required to do work on account of the vessel. (*heures de travail*)

HSC Code means

- (a) in the case of a high-speed craft referred to in sections 1.3.1 to 1.3.6 of the *International Code of Safety for High Speed Craft, 2000* published by the IMO, that Code; and
- (b) in the case of all other high-speed craft, the *International Code of Safety for High Speed Craft, 1994* published by the IMO. (*Recueil HSC*)

IGF Code means the *International Code of Safety for Ships Using Gas or Other Low-Flash Point Fuels* set out in Annex 1 to IMO Resolution MSC.391(95). (*Recueil IGF*)

IMO means the International Maritime Organization. (*OMI*)

inland waters of Canada has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*eaux internes du Canada*)

international voyage means a voyage between a place in Canada and a place not in Canada or between places not in Canada. (*voyage international*)

length in respect of a vessel, has the same meaning as in paragraph (b) of the definition “length” in section 1 of the *Vessel Registration and Tonnage Regulations*. (*longueur*)

length overall means the distance measured parallel to the waterline from the forward end of the foremost outside surface of the hull shell to the aft end of the aftermost outside surface of the hull shell. (*longueur hors tout*)

limited waters means waters within 200 nautical miles from shore or above the continental shelf, limited to the waters contiguous to Canada, United States (except Hawaii) and St-Pierre and Miquelon including on the west coast of Canada the waters up to Cobb-Eickelberg seamount chain. (*eaux limitées*)

limited contiguous waters voyage means a near coastal voyage, Class 1 limited to the waters contiguous to Canada, the United States (except Hawaii) and Saint Pierre and Miquelon. (*voyage limité en eaux contiguës*)

liquefied gas tanker has the same meaning as in regulation I/1 of the STCW Convention. (*bâtiment-citerne pour gaz liquéfié*)

MED means marine emergency duties. (*FUM*)

Minister means the Minister of Transport. (*ministre*)

motor vessel means a vessel whose propulsive power is derived from an internal combustion engine or an electric motor. (*bâtiment à moteur*)

navigational watch means the period of time during which a part of the complement of a vessel, under the responsibility of the officer in charge of the navigational watch, performs the duties related to the proper operation of the vessel, in particular maintaining a lookout and ensuring the safety of navigation, communications and security. (*quart à la passerelle*)

near coastal voyage, Class 1 has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage à proximité du littoral, classe 1*)

near coastal voyage, Class 2 has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage à proximité du littoral, classe 2*)

Officer means a person who holds a certificate of competency issued under

- (a) Part 1, Division 2, except section 125; and
- (b) Part 1, Division 3, except section 146, or exchanged or renewed under Part 1, Division 9, except subsection 202(3). (*officier*)

offshore installation manager or **OIM** has the same meaning as in section 2 of the Annex to IMO Resolution A.1079(28). (*chef de l'installation au large*)

oil tanker has the same meaning as in regulation I/1 of the STCW Convention. (*pétrolier*)

passenger-carrying vessel means a vessel

- (a) that is less than 24 metres in length;
- (b) that carries one or more passengers; and
- (c) to which the SOLAS Convention does not apply. (*bâtiment transportant des passagers*)

physician means a person registered or licensed as a physician under the laws of a province. (*médecin*)

place, in respect of a voyage, means

- (a) a port; or
- (b) a marine installation or vessel that is used for loading or unloading vessels (*lieu*)

qualifying service means service credited to an applicant in order for them to meet the experience requirements for a certificate or an endorsement issued under Part 1. (*service admissible*)

radio watch means the period of time during which a member of the complement is required to be at the ship station and in charge of communications. (*veille radioélectrique*)

rating means a member of the complement of a vessel other than the master or an officer. (*matelot*)

recognized institution means a training institution designated as such by the Minister under subsection 103(2). (*établissement reconnu*)

registered nurse means a person registered or licensed as a nurse under the laws of a province. (*infirmier autorisé*)

ro-ro passenger vessel means a passenger carrying vessel or a passenger vessel that has, as defined in SOLAS, ro-ro spaces or special category spaces. (*bâtiment roulier à passagers*)

sailing vessel means a vessel that has sufficient sail area for navigation under sails alone, whether or not fitted with mechanical means of propulsion. (*bâtiment à voile*)

seafarer means a person who is employed or engaged in any capacity on board a vessel and whose ordinary place of work is on board a vessel. (*marin ou gens de mer*)

sea service means a period of qualifying service spent by a person employed or engaged on board a vessel and includes service while the vessel is in port, loading or unloading, at anchor, in refit or in dry-dock, if that service forms part of a voyage. (*service en mer*)

SEN means simulated electronic navigation. (*NES*)

sheltered waters voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage en eaux abritées*)

STCW Code means the *Seafarers' Training, Certification and Watchkeeping Code* adopted under the STCW Convention. (*Code STCW*)

STCW Convention means the *International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978*. (*Convention STCW*)

STCW-F Convention means the *International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995*. (*Convention STCW-F*)

steam vessel means a vessel whose propulsion power is derived from boilers and steam engines. (*bâtiment à vapeur*)

TP 2293 means the standard entitled *The Examination and Certification of Seafarers*, published by the Department of Transport. (*TP 2293*)

training certificate means a document issued by a recognized institution evidencing the holder's successful completion of an approved training program or approved training course. (*certificat de formation*)

tug means a vessel used exclusively in operations associated with towing another vessel or a floating object astern or alongside or in pushing another vessel or a floating object ahead. (*remorqueur*)

unlimited voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage eaux illimitées*)

watch means

- (a) that part of the complement that is required for the purpose of attending to the navigation, communications, machinery and security of the vessel, including, under the conditions of section 312, the master;
- (b) the period during which the physical presence of a member of the complement is required
 - (i) on the bridge or deck, in the case of a master, a mate or a deck rating, or

- (ii) in the engine room, in the case of an engineer or engine-room rating; or
 - (c) the period during which an engineer or engine-room rating is required to be on call, in the case of a vessel which is underway and operating with unattended machinery spaces. (*quart*)
- (2) For the purposes of these Regulations,
- (a) in section A-VIII/2 of the STCW Code, every reference to the “*International Regulations for Preventing Collisions at Sea, 1972*” shall be read as a reference to the *Collision Regulations*; and
 - (b) in section A-VIII/2 of the STCW Code, every reference to the “*Radio Regulations*” shall be read as a reference to the *Navigation Safety Regulations, 2020*.
 - (c) in IMO Resolution A.1047(27), every reference to “company” shall be read to mean “authorized representative” and every reference to an approved “Ship’s Security Plan” shall be read to mean a “vessel security plan” as approved by the Minister under the *Marine Transportation Security Regulations* by the Minister.
- (3) For the purpose of these Regulations, every reference to the word “ship” in a document incorporated by reference in these Regulations is to be read as a reference to the word “vessel”, except in the case of a reference to **ro-ro passenger ship**.
- (4) Except as otherwise indicated in these Regulations, any reference to a document incorporated by reference into these Regulations is a reference to the document as amended from time to time.
- (5) For the purpose of interpreting any material incorporated by reference into these Regulations, “should” shall be read to mean “must”.
- (6) In the event of an inconsistency between a definition in any material incorporated by reference into these Regulations and any other definition in these Regulations, that other definition prevails to the extent of the inconsistency.
- (7) For the purposes of interpreting the STCW Convention, **sea service** has the same meaning as in subsection (1).
- (8) For the purposes of interpreting the STCW Convention and the STCW Code, **Administration** has the same meaning as in subsection (1).
- (9) Unless otherwise indicated in these Regulations, any reference to a certificate or endorsement is a reference to a valid Canadian certificate or endorsement.

Application

2 In these Regulations,

- (a) Part 1 applies to applicants for a certificate of competency, certificate of proficiency or an endorsement; and

(b) Part 2 applies to a person who wishes to obtain a medical certificate issued under that Part.

PART 1

Certification

DIVISION 1

Definitions and Interpretation

Interpretation – Part 1

1000 The following definitions apply in this Part.

approved training course means a training course that has been approved in accordance with section 1004. (*cours de formation approuvé*)

approved training program means a training program that has been approved in accordance with section 1004. (*programme de formation approuvé*)

electro-technical officer means a person that holds a certificate of competency set out in section 1047. (*officier électrotechnicien*)

examiner means a marine safety inspector authorized under subsection 11(2) of the Act to administer examinations to any applicant and whose functions include auditing training programs and courses and making recommendations to the Minister with respect to the approval of training courses and programs. (*examineur*)

former certificate or **former endorsement** means a certificate or an endorsement that, as the case may be, was issued under the *Masters and Mates Examination Regulations*, the *Marine Certification Regulations* or the *Marine Personnel Regulations*. (*brevet antérieur* ou *visa antérieur*)

qualified engineer means a person that holds a certificate of competency set out in sections 1040 to 1045. (*officier mécanicien qualifié*)

stationary MOU means an MOU that is not underway, that is not maintaining position by means of thrusters or dynamic positioning or that does not keep the propulsion unit in standby mode. (*UML stationnaire*)

training certificate means a Transport Canada training certificate issued by a recognized institution attesting that its holder has successfully completed an approved training program or an approved training course. (*certificat de formation*)

Age Requirements

Age

1001 Unless otherwise indicated in these Regulations, an applicant for a certificate of competency, certificate of proficiency or an endorsement must

- (a) be at least 18 years of age on the day on which the certificate or endorsement is issued; and
- (b) be at least the following age when they started acquiring the sea service required to obtain the certificate or endorsement:
 - (i) in the case of service on board a fishing vessel required to obtain a fishing certificate of competency, 15 years of age, and
 - (ii) in all other cases, 16 years of age.

Requirements for Certificates of Competency and Certificates of Proficiency

Issuance – certificate of competency

1002 (1) In this Part, where a person is required to hold a certificate of competency to obtain a certificate of proficiency, an endorsement or another certificate of competency, the certificate of competency that the person must hold must be a certificate issued by the Minister.

Issuance – certificate of proficiency

(2) In this Part, where a person is required to hold a certificate of proficiency to obtain a certificate of competency, an endorsement or another certificate of proficiency, the certificate of proficiency that the person must hold must be

- (a) a certificate of proficiency that was issued by the Minister; or
- (b) a certificate of proficiency that was issued under the laws of a foreign state if the Minister is satisfied that the requirements of the foreign state for that certificate meet or exceed the requirements for the corresponding certificate issued by the Minister under this Part, and the person is a qualified person or is the holder of a work permit issued under the *Immigration and Refugee Protection Act*.

Certificate of competency – endorsement

1003 (1) In this Part, a certificate of competency for which an endorsement is applied for must be valid on the date the endorsement is issued.

Certificate of proficiency – subsequent Canadian maritime document

(2) In this Part, a certificate of proficiency that a person is required to hold in order to obtain a certificate of competency, an endorsement or another certificate of proficiency, must be valid on the date of application for the certificate of competency, endorsement or other certificate of proficiency.

Exceptions

(3) Despite subsection (2), the following certificates of proficiency that a person is required to hold in order to obtain a certificate of competency, an endorsement or another certificate of proficiency, do not need to be valid on the date of application:

- (a) Basic Training for Oil and Chemical Tanker Cargo Operations;
- (b) Basic Training for Liquefied Gas Tanker Cargo Operations;
- (c) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, if the person is applying for a Fast Rescue Boat certificate of proficiency; and
- (d) Basic Training for Ships's Officers Operating in Polar Waters.

Validity – radio operator certificates

(4) In this Part, a radio operator certificate issued under the *Radiocommunication Act* that a person is required to hold in order to obtain a certificate of competency, certificate of proficiency or endorsement must be valid on the date of application for the certificate of competency, certificate of proficiency or endorsement.

Approval of Training Programs and Courses

Approval – training course and program

1004 (1) The Minister must, upon application by a training institution, approve a training course or a training program, if the training course or the training program meet the standards respecting the training and assessment of seafarers that are set out in *TP 2293*.

Authorization and designation

(2) If the Minister approves a training program or a training course, the Minister thereby authorizes the institution that made the application to give that training and designates it as a recognized institution in respect of the giving of that training.

Conditions

(3) The Minister may specify any terms and conditions respecting the approval that the Minister considers necessary.

Standards

(4) The recognized institution must administer the approved training course or approved training program in accordance with the standards referred to in subsection (1) and in accordance with any terms and conditions of the approval referred to in subsection (3).

Prohibition

(5) No person shall promote or offer a training course or a training program under this Part, unless the person has been approved as a recognized institution by the Minister under subsection

(2), and the training course or training program they are promoting or offering has been approved under paragraph (1).

Foreign training certificates

1005 (1) Subject to subsection (2), where Division 5 requires a person to hold a training certificate for a training course or program that is not offered in Canada, the Minister may instead accept a foreign training certificate issued by a training provider approved by a foreign administration, if the Minister determines that the foreign training certificate is equivalent to the corresponding Canadian training certificate.

Exceptions

(2) The minister shall not accept a foreign training certificate for an application related to certificate of proficiency issued under section 1080.

Qualifying Service and Sea Service

Acquisition of sea service

1006 (1) The sea service that a person must acquire to obtain or renew a certificate of competency, a certificate of proficiency or an endorsement, is the time spent by the person on board a vessel and includes service while the vessel is in port, loading or unloading, at anchor, in refit or in dry-dock, which service forms part of a voyage, or any other service that would allow the person to meet the experience requirement under this Part, in accordance with *TP 2293*.

Calculation – day of sea service

(2) For the purposes of calculating sea service, other than approved training programs in subsection (3),

(a) subject to paragraph (b), eight hours of sea service acquired during a calendar day equals one day of sea service, and an amount of sea service other than eight hours acquired during a calendar day is prorated to a maximum of 12 hours for that day, in the manner set out in *TP 2293*, or

(b) in the case of service required to obtain or renew certificate issued under Division 3 or under sections 1051, 1052, 1092 and 1093, between four and eight hours of sea service acquired during a calendar day equals a half day of sea service, and 8 hours or more of sea service acquired during a calendar day equals one day of sea service, in the manner set out in *TP 2293*.

Approved training program

(3) If sea service is acquired as part of an approved training program or approved training course, it must be calculated on the basis of any amount of sea service in one calendar day equalling one day of sea service.

Calculation – month of service

(4) For the purposes of calculating qualifying service and sea service, the number of months of service is calculated by dividing the total number of days of that service by 30.

Qualifying service and sea service – not recognized

(5) The following qualifying service and sea service is not recognized for the purposes of calculating that service:

- (a) any service acquired after a certificate of competency, certificate of proficiency or endorsement has become invalid;
- (b) any qualifying service or sea service that has already been used to obtain or to renew a certificate of competency, certificate of proficiency or endorsement, with respect to a subsequent renewal of that same certificate of competency, certificate of proficiency or endorsement;
- (c) any qualifying service or sea service that was acquired before the date on which the certificate of competency, certificate of proficiency or endorsement which is being renewed was issued;
- (d) if the person was employed on board a vessel in a capacity beyond the functions and levels of responsibility allowed by the certificate of competency, certificate of proficiency or endorsement, or a dispensation issued under section 3048, that the person holds, the sea service obtained while employed in that capacity; and
- (e) any sea service on a non self-propelled vessel with respect to obtaining a deck certificate of competency.

Sea service in sheltered waters

(6) Despite the requirements of sections 1010 to 1018 and section 1020, sea service on board a vessel engaged on a sheltered waters voyage can be accepted in lieu of service on board a vessel engaged on a Near Coastal, Class 2 voyage, if the vessel on which the service is accomplished is a Safety Convention vessel.

Sea service on pleasure yachts – other than engineers

(7) With the exception of engineer officers, sea service acquired on a pleasure yacht is not recognized as sea service for the purpose of obtaining a certificate of competency, except where the tonnage or the length of the yacht meets the tonnage or the length requirements for the certificate sought and the service is carried out as member of the complement on board a private yacht where the authorized representative hires a paid crew under a seafarer's employment agreement. In the case of a master certificate of competency or a deck officer certificate of competency, the voyages must also be of the class required for the certificate sought.

Sea service on pleasure yachts — engineers

(8) In the case of engineer officers, sea service acquired on a pleasure yacht is not recognized as sea service for the purpose of obtaining an engineer certificate of competency, except where the

propulsion power of the yacht meets the propulsion power requirements for the engineer certificate sought and the service is carried out as member of the complement on board a private yacht where the authorized representative hires a paid crew under a seafarer's employment agreement.

Fees for Exams and Documents

Exams

1007 A person who, for the issuance or renewal of a certificate of competency, certificate of proficiency or endorsement, is required to take an examination set out in column 1 of the table to this section must pay the fee set out in column 2 each time they are administered the examination.

| Item | Column 1 | Column 2 |
|------|---|----------|
| | Exam | Fee (\$) |
| 1 | Oral examination or practical examination taken for the purpose of obtaining or renewing a certificate of competency issued under sections 1027 to 1030, or a certificate of proficiency issued under section 1057. | 27.50 |
| 2 | Oral examination or practical examination taken for the purpose of obtaining or renewing a certificate of competency or a certificate of proficiency, other than a certificate listed in item 1 of this table. | 55.00 |
| 3 | Simulator-based examination | 55.00 |
| 4 | Written examination | 27.50 |

Documents

1008 (1) A person who receives a service set out in column 1 of the table to this subsection must pay the corresponding fee set out in column 2.

| Item | Column 1 | Column 2 |
|------|--|----------|
| | Service | Fee (\$) |
| 1 | Replacement of a certificate of competency, certificate of proficiency or an endorsement except if the replacement is necessary owing to shipwreck | 27.50 |
| 2 | Issuance of a certificate of competency, certificate of proficiency or an endorsement not requiring examination | 27.50 |
| 3 | Issuance of a record book of qualifications and examinations | 20.00 |
| 4 | A cover for a certificate of competency or certificate of proficiency | 20.00 |
| 5 | Issuance of an identity card | 20.00 |
| 6 | Replacement of a record of sea service for each period of five consecutive years searched, or part thereof | 90.00 |

Exemptions

(2) Despite subsection (1), a person who obtains, renews or replaces a certificate or endorsement, as the case may be, in sections 1025, 1054, 1058 to 1060, and 1078 to 1082, is not subject to the fees listed for items 1 and 2 in column 2 of the table to subsection (1).

DIVISION 2**Masters and Mates****Deck Certificates of Competency – STCW****Qualifications**

1009 (1) A person who applies for a certificate of competency referred to in sections 1010 to 1018 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for STCW Deck Certificates of Competency – STCW

| Qualifications | Level | Certificates of Competency | | | | | | | | | | |
|------------------------------------|-------|----------------------------|----------------------|----------------------------|--|--------------------------|--|------------|--------------------------|-------------------|---------------------------------|---|
| | | Master Mariner | Master, Near Coastal | Master 3 000 Gross Tonnage | Master 3 000 Gross Tonnage, Near Coastal | Master 500 Gross Tonnage | Master 500 Gross Tonnage, Near Coastal | Chief Mate | Chief Mate, Near Coastal | Watchkeeping Mate | Watchkeeping Mate, Near Coastal | |
| Ability to Steer | N/A | X | X | X | X | X | X | X | X | X | X | X |
| Communications | N/A | X | X | X | X | X | X | X | X | X | X | X |
| Chartwork and Pilotage | 2 | X | X | X | X | X | X | X | X | X | X | X |
| Celestial Navigation | 2 | X | | X | | X | | X | | X | | |
| Navigation Systems and Instruments | N/A | X | X | | | | | X | X | | | |
| Electronic Positioning Systems | N/A | X | X | X | X | X | X | X | X | X | X | X |
| Navigation Safety | 1 | X | X | X | X | X | X | X | X | X | X | X |
| | 2 | X | X | X | X | X | | X | X | | | |
| Meteorology | N/A | X | X | X | X | X | X | X | X | X | X | X |
| Ship Management | 3 | X | X | X | X | X | | X | X | | | |
| | 4 | X | X | | | | | | | | | |
| Ship Construction and Stability | 3 | | | | | | X | | | | | |
| | 4 | X | X | X | X | X | | X | X | X | X | X |
| Cargo | 1 | | | | | | X | | | | | |

| Qualifications | Level | Certificates of Competency | | | | | | | | | |
|---|-------|----------------------------|----------------------|----------------------------|--|--------------------------|--|------------|--------------------------|-------------------|---------------------------------|
| | | Master Mariner | Master, Near Coastal | Master 3 000 Gross Tonnage | Master 3 000 Gross Tonnage, Near Coastal | Master 500 Gross Tonnage | Master 500 Gross Tonnage, Near Coastal | Chief Mate | Chief Mate, Near Coastal | Watchkeeping Mate | Watchkeeping Mate, Near Coastal |
| | 2 | X | X | X | X | X | | X | X | X | X |
| | 3 | X | X | | | | | X | X | | |
| Engineering Knowledge | N/A | X | X | X | X | X | X | X | X | | |
| General Ship Knowledge | 2 | X | X | X | X | X | X | X | X | X | X |
| SEN – Operational | N/A | X | X | X | X | X | X | X | X | X | X |
| SEN – Management | N/A | X | X | X | X | X | X | X | X | | |
| Leadership and Teamwork Skills | N/A | X | X | X | X | X | X | X | X | X | X |
| Leadership and Managerial Skills | N/A | X | X | X | X | X | X | X | X | | |
| Electronic Chart Display and Information System | N/A | X | X | X | X | X | X | X | X | X | X |

Manner of determination

(2) The Minister must determine that a person possesses a qualification required under subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Master Mariner

1010 The Minister must, on application, issue a Master Mariner certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:

- (i) Master, Near Coastal,
 - (ii) Master 3 000 Gross Tonnage,
 - (iii) Master 3 000 Gross Tonnage, Near Coastal,
 - (iv) Chief Mate,
 - (v) Chief Mate, Near Coastal,
 - (vi) Watchkeeping Mate, or
 - (vii) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
- (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b) or a Master 500 Gross Tonnage, Near Coastal certificate of competency, has acquired the following sea service on board a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages for which the sea service must include at least 12 months on unlimited voyages or on near coastal voyages, Class 1 outside the Great Lakes Basin during which the distance between extreme ports called at during those voyages was more than 500 nautical miles:
- (i) at least 24 months as officer in charge of the deck watch if at least 12 of those months are acquired while serving as master or chief mate, or
 - (ii) at least 36 months as officer in charge of the deck watch if less than 12 of those months are acquired while serving as master or chief mate, in which case the amount of any service while serving as master or chief mate is multiplied by two for the purpose of determining whether the person has acquired the 36 months; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master, Near Coastal

1011 The Minister must, on application, issue a Master Near Coastal certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 3 000 Gross Tonnage,
 - (ii) Master 3 000 Gross Tonnage, Near Coastal,
 - (iii) Chief Mate,
 - (iv) Chief Mate, Near Coastal,
 - (v) Watchkeeping Mate, or
 - (vi) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b) or a Master 500 Gross Tonnage, Near Coastal certificate of competency, has acquired the following sea service on board a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages:
 - (i) at least 24 months as officer in charge of the deck watch if at least 12 of those months are acquired while serving as master or chief mate, or
 - (ii) at least 36 months as officer in charge of the deck watch if less than 12 of those months are acquired while serving as master or chief mate, in which case the amount of service acquired while serving as master or chief mate is multiplied by two for the purpose of determining whether the person has acquired the 36 months; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master 3 000 Gross Tonnage

1012 The Minister must, on application, issue a Master 3 000 Gross Tonnage certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 3 000 Gross Tonnage, Near Coastal,
 - (ii) Master 500 Gross Tonnage,
 - (iii) Master 500 Gross Tonnage, Near Coastal,
 - (iv) Chief Mate,
 - (v) Chief Mate, Near Coastal,
 - (vi) Watchkeeping Mate, or
 - (vii) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b), has acquired the following sea service on board one a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages for which the sea service must include at least 12 months on unlimited voyages or on near costal voyages, Class 1 outside the Great Lakes Basin during which the distance between extreme ports called at during those voyages was more than 500 nautical miles:
 - (i) at least 24 months as officer in charge of the deck watch if at least 12 of those months are acquired while serving as master or chief mate, or
 - (ii) at least 36 months as officer in charge of the deck watch if less than 12 of those months are acquired while serving as master or chief mate, in which case the amount of service acquired while serving as master or chief mate is multiplied by two for the purpose of determining whether the person has acquired the 36 months; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master 3 000 Gross Tonnage, Near Coastal

1013 The Minister must, on application, issue a Master 3 000 Gross Tonnage, Near Coastal certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 500 Gross Tonnage,
 - (ii) Master 500 Gross Tonnage, Near Coastal,
 - (iii) Chief Mate,
 - (iv) Chief Mate, Near Coastal,
 - (v) Watchkeeping Mate, or
 - (vi) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b), has acquired the following sea service on board a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages:
 - (i) at least 24 months as officer in charge of the deck watch if at least 12 of those months were acquired while serving as master or chief mate, or
 - (ii) at least 36 months as officer in charge of the deck watch if less than 12 of those months were acquired while serving as master or chief mate, in which case the amount of service acquired while serving as master or chief mate is multiplied by two for the purpose of determining whether the person has acquired the 36 months; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master 500 Gross Tonnage

1014 The Minister must, on application, issue a Master 500 Gross Tonnage certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 500 Gross Tonnage, Near Coastal,
 - (ii) Watchkeeping Mate, or
 - (iii) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b), has acquired the following sea service on board a vessel of at least 12 m in length overall while the vessel was engaged on voyages other than sheltered waters voyages for which the sea service must include at least 12 months on unlimited voyages or on near coastal voyages, Class 1 outside the Great Lakes Basin during which the distance between extreme ports called at during those voyages was more than 500 nautical miles:
 - (i) at least 24 months as officer in charge of the deck watch, if at least 12 of those months are acquired while serving as master or chief mate, or
 - (ii) at least 36 months as officer in charge of the deck watch, if less than 12 of those months are acquired while serving as master or chief mate, in which case the amount of service acquired while serving as master or chief mate is multiplied by two for the purpose of determining whether the person has acquired the 36 months; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master 500 Gross Tonnage, Near Coastal

1015 The Minister must, on application, issue a Master 500 Gross Tonnage, Near Coastal certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 3 000 Gross Tonnage, Domestic,
 - (ii) Master 500 Gross Tonnage, Domestic,
 - (iii) Watchkeeping Mate, or
 - (iv) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) has acquired at least 12 months of sea service as officer in charge of the deck watch on board a vessel of at least 12 m in length overall, while the vessel was engaged on voyages other than sheltered waters voyages, while holding the following certificates:
 - (i) a certificate referred to in paragraph (b),
 - (ii) a Master, Vessel of Less Than 24 Metres in Length, Domestic certificate of competency,
 - (iii) a Master 150 Gross Tonnage, Domestic certificate of competency, or
 - (iv) a Chief Mate 500 Gross Tonnage, Domestic certificate of competency; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Chief Mate

1016 The Minister must, on application, issue a Chief Mate certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Chief Mate, Near Coastal,

- (ii) Watchkeeping Mate, or
 - (iii) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
- (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MQ) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b) or a Master 500 Gross Tonnage, Near Coastal certificate of competency, has acquired at least 12 months of sea service as officer in charge of the deck watch on board a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages, for which the sea service must include at least six months on unlimited voyages or near coastal voyages, Class 1 outside the Great Lakes Basin during which the distance between extreme ports called at during those voyages was more than 500 nautical miles; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Chief Mate, Near Coastal

1017 The Minister must, on application, issue a Chief Mate, Near Coastal certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
 - (b) holds one of the following certificates of competency:
 - (i) Watchkeeping Mate, or
 - (ii) Watchkeeping Mate, Near Coastal;
- (c) holds the following certificates of proficiency:
- (i) STCW Basic Safety,
 - (ii) Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;

- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b) or a Master 500 Gross Tonnage, Near Coastal certificate of competency, has acquired at least 12 months of sea service as officer in charge of the deck watch on board a vessel of at least 500 gross tonnage while the vessel was engaged on voyages other than sheltered waters voyages; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Watchkeeping Mate or Watchkeeping Mate, Near Coastal

1018 The Minister must, on application, issue a Watchkeeping Mate certificate of competency or a Watchkeeping Mate, Near Coastal certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1009(1) for the certificate applied for,

- (a) holds a medical certificate issued under Part 2;
- (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (c) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (d) has acquired the following sea service carrying out deck duties on board a vessel of at least 24 m in registered length while the vessel was engaged on voyages other than sheltered waters voyages:
 - (i) at least 12 months from an approved training program in navigation, including at least six months carrying out deck watchkeeping duties under the supervision of a deck officer that holds a certificate of competency,
 - (ii) at least 24 months from an approved program of on-board training, or
 - (iii) at least 36 months, including at least six months carrying out deck watchkeeping duties under the supervision of a deck officer that holds a certificate of competency; and
- (e) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Domestic Deck Certificates of Competency – General

Qualifications

1019 (1) A person who applies for a certificate of competency referred to in sections 1020 to 1024 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Domestic Deck Certificates of Competency – General

| Qualifications | Level | Certificates of Competency | | | | |
|--|-----------------|--------------------------------------|------------------------------------|---|--|---|
| | | Master 3 000 Gross Tonnage, Domestic | Master 500 Gross Tonnage, Domestic | Master, Vessel of Less Than 24 Metres in Length, Domestic | Chief Mate 500 Gross Tonnage, Domestic | Chief Mate, Vessel of Less Than 24 Metres, Domestic |
| Communications | N/A | X | X | | X | |
| Chartwork and Pilotage | 1 | | | X | | X |
| | 2 | X | X | | X | |
| Electronic Positioning Systems | N/A | X | X | | X | |
| Navigation Safety | 1 | X | X | X | X | X |
| | 2 | X | | | | |
| Meteorology | N/A | X | X | | | |
| Ship Management | 2 | | X | | | |
| | 3 | X | | | | |
| Ship Construction and Stability | 3 | | X | X | X | |
| | 4 | X | | | | |
| Cargo | 1 | | X | | | |
| | 2 | X | | | | |
| Engineering Knowledge | N/A | X | X | | | |
| General Ship Knowledge | 2 | X | X | | | |
| | 3D ¹ | | | X | X | |
| SEN – Domestic | N/A | | | X | | X |
| SEN – Operational | N/A | X | X | | X | |
| SEN – Management | N/A | X | X | | | |
| STCW Basic Safety | N/A | X | X | | X | |
| Survival Craft and Rescue Boats Other Than Fast Rescue Boats | N/A | X | X | | X | |
| Advanced Fire Fighting | N/A | X | X | | X | |
| Domestic Vessel Safety | N/A | | | X | | X |

| Qualifications | Level | Certificates of Competency | | | | |
|---------------------------|-------|--------------------------------------|------------------------------------|---|--|---|
| | | Master 3 000 Gross Tonnage, Domestic | Master 500 Gross Tonnage, Domestic | Master, Vessel of Less Than 24 Metres in Length, Domestic | Chief Mate 500 Gross Tonnage, Domestic | Chief Mate, Vessel of Less Than 24 Metres, Domestic |
| Marine Advanced First Aid | N/A | X | X | X | X | X |

Note 1: “D” indicates a domestic requirement.

Manner of determination

(2) The Minister must determine that a person possesses a qualification required under subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Master 3 000 Gross Tonnage, Domestic

1020 The Minister must, on application, issue a Master 3 000 Gross Tonnage, Domestic certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1019(1) for that certificate,

- (a) holds medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 500 Gross Tonnage, Domestic,
 - (ii) Master, Vessel of Less Than 24 Metres in Length, Domestic,
 - (iii) Master 150 Gross Tonnage, Domestic,
 - (iv) Watchkeeping Mate,
 - (v) Watchkeeping Mate, Near Coastal,
 - (vi) Chief Mate 500 Gross Tonnage, Domestic,
 - (vii) Master 3 000 Gross Tonnage, Domestic, limited to a minor waters voyage,
 - (viii) Fishing Master, Unlimited Waters,
 - (ix) Fishing Master, First Class,
 - (x) Fishing Master, Limited Waters,

- (xi) Fishing Master, Second Class, or
- (xii) Fishing Master, Third Class;
- (c) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) Certificate or General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (d) after obtaining a certificate referred to in paragraph (b), has acquired at least 12 months of sea service carrying out deck watchkeeping duties on board a vessel of at least 18 m in registered length while the vessel was engaged on voyages other than sheltered waters voyages; and
- (e) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master 500 Gross Tonnage, Domestic

1021 The Minister must, on application, issue a Master 500 Gross Tonnage, Domestic certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1019(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master, Vessel of Less Than 24 Metres in Length, Domestic,
 - (ii) Master 150 Gross Tonnage, Domestic,
 - (iii) Watchkeeping Mate,
 - (iv) Watchkeeping Mate, Near Coastal,
 - (v) Chief Mate 500 Gross Tonnage, Domestic,
 - (vi) Master 3 000 Gross Tonnage, Domestic, limited to a minor waters voyage,
 - (vii) Fishing Master, Unlimited Waters,
 - (viii) Fishing Master, First Class,
 - (ix) Fishing Master, Limited Waters,
 - (x) Fishing Master, Second Class, or
 - (xi) Fishing Master, Third Class;
- (c) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) Certificate or General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;

- (d) after obtaining a certificate referred to in paragraph (b), has acquired at least 12 months of sea service carrying out deck watchkeeping duties on board a vessel of at least 12 m in length overall; and
- (e) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Master, Vessel of Less Than 24 Metres in Length, Domestic

1022 (1) The Minister must, on application, issue a Master, Vessel of Less Than 24 Metres in Length, Domestic certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1019(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds a Restricted Operator Certificate — Maritime Commercial (ROC-MC) Certificate or General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (c) has acquired the following sea service on board a vessel of at least 8.5 m in length overall:
 - (i) if the person has successfully completed an approved training program, at least 12 months carrying out deck duties, in which case the amount of any service while holding a Chief Mate, Vessel of Less Than 24 Metres, Domestic certificate of competency is multiplied by two for the purpose of determining whether the person has acquired the 12 months, or
 - (ii) if the person has not completed an approved training program, at least 24 months carrying out deck duties, in which case
 - (A) the amount of any service while holding a Chief Mate, Vessel of Less Than 24 Metres, Domestic certificate of competency is multiplied by two for the purpose of determining whether the person has acquired the 24 months, and
 - (B) the amount of any service as chief mate on board a vessel that, under Part 2, is required to have on board a chief mate, is multiplied by four for the purpose of determining whether the person has acquired the 24 months; and
- (d) after meeting the other requirements of this subsection, passes an oral examination on general seamanship administered by the Minister.

50 Nautical Miles from Shore endorsement

(2) The Minister must, on application by a holder of a Master, Vessel of Less Than 24 Metres in Length, Domestic certificate of competency, issue a 50 Nautical Miles from Shore endorsement if the holder has acquired at least half of the sea service required under paragraph (1)(c) on board a vessel that was engaged on voyages other than sheltered waters voyages.

Chief Mate 500 Gross Tonnage, Domestic

1023 The Minister must, on application, issue a Chief Mate 500 Gross Tonnage, Domestic certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1019(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) Certificate or General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*; and
- (c) has acquired the following sea service on board a vessel of at least 8.5 m in length overall:
 - (i) if the person has successfully completed an approved training program, at least 12 months carrying out deck duties, in which case the amount of any service acquired while holding a Chief Mate, Vessel of Less Than 24 Metres, Domestic certificate of competency is multiplied by two for the purpose of determining whether the person has acquired the 12 months, or
 - (ii) if the person has not completed an approved training program, at least 24 months carrying out deck duties, in which case
 - (A) the amount of any service while holding a Chief Mate, Vessel of Less Than 24 Metres, Domestic certificate of competency is multiplied by two for the purpose of determining whether the person has acquired the 24 months, and
 - (B) the amount of any service as chief mate on board a vessel that, under Part 2, is required to have on board a chief mate, is multiplied by four for the purpose of determining whether the person has acquired the 24 months; and
- (d) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Chief Mate, Vessel of Less Than 24 Metres in Length, Domestic

1024 (1) The Minister must, on application, issue a Chief Mate, Vessel of Less Than 24 Metres in Length, Domestic certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1019(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (c) has acquired the following amount of sea service carrying out deck duties on board a vessel of at least 8.5 m in length overall:
 - (i) at least six months, if the person has successfully completed an approved training program, or
 - (ii) at least 12 months, if the person has not completed an approved training program; and

- (d) after meeting the other requirements of this subsection, passes an oral examination on general seamanship administered by the Minister.

50 Nautical Miles from Shore endorsement

(2) The Minister must, on application by a holder of a Chief Mate, Vessel of Less Than 24 Metres in Length, Domestic certificate of competency, issue a 50 Nautical Miles from Shore endorsement if the holder has acquired at least half of the sea service required under of paragraph (1)(c) on board a vessel that was engaged on voyages other than sheltered waters voyages.

Small Vessel Operator

1025 (1) The Minister must, on application, issue a Small Vessel Operator certificate of competency to a person if the person

- (a) is at least 18 years of age on the day on which the certificate is issued;
- (b) holds a training certificate for the following courses:
 - (i) a small vessel operator “basic module” approved training course,
 - (ii) an approved training course in small domestic vessel basic safety, other than the pleasure craft training course,
 - (iii) marine basic first aid training course, or a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of a two-day first aid course; and
- (c) holds a radio operator certificate issued under the *Radiocommunication Act*.

Endorsements

(2) The Minister must, on application by a holder of a Small Vessel Operator certificate of competency, issue the following endorsements:

- (a) a passenger vessel endorsement, if the holder meets the following requirements:
 - (i) is at least 18 years of age on the day on which the endorsement is issued, and
 - (ii) has successfully completed the “passenger module” of the small vessel operator course or the domestic passenger vessel safety course, or has acquired at least two months of sea service carrying out deck duties on board a passenger-carrying vessel;
- (b) a tug endorsement, if the holder:
 - (i) has successfully completed the “tug module” of the small vessel operator course and has acquired at least two months of sea service carrying out deck duties on board a tug, or
 - (ii) has acquired at least six months of sea service on board a tug while carrying out deck duties; or

- (e) a fishing vessel endorsement, if the holder has successfully completed the “fishing module” of the small vessel operator course or has acquired at least two months of sea service on board a fishing vessel while carrying out deck duties.

Domestic Deck Certificates of Competency – Limited

Qualifications

1026 (1) A person who applies for a certificate of competency referred to in sections 1027 to 1030 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Domestic Deck Certificates of Competency – Limited

| Qualifications | Level | Certificates of Competency | | | |
|---|-------|---|---|---|---|
| | | Master, Limited for a Vessel of 18 Metres in Length or More | Master, Limited for a Vessel of Less Than 18 Metres in Length | Chief Mate, Limited for a Vessel of 18 Metres in Length or More | Chief Mate, Limited for a Vessel of Less Than 18 Metres in Length |
| General Ship Knowledge (Master, Limited for a Vessel of 18 Metres in Length or More) | N/A | X | | | |
| General Ship Knowledge (Master, Limited for a Vessel of Less Than 18 Metres in Length) | N/A | | X | | |
| General Ship Knowledge (Chief Mate, Limited to a Vessel of 18 Metres in Length or More) | N/A | | | X | |
| General Ship Knowledge (Chief Mate, Limited to a Vessel of Less Than 18 Metres in Length) | N/A | | | | X |
| Chartwork and Pilotage | 1 | X ¹ | X ² | X ¹ | X ² |
| Navigation Safety | 1 | X ³ | X ² | X ³ | X ² |
| Ship Construction and Stability | 3 | X ⁴ | | X ⁴ | |
| | 4 | X ⁵ | | X ⁵ | |
| SEN – Limited | N/A | X ⁶ | | X ⁶ | |
| SEN – Domestic | N/A | X ⁷ | | X ⁷ | |
| Domestic Vessel Safety | N/A | X ⁸ | | X ⁸ | |
| Domestic Passenger Vessel Safety | N/A | X ⁹ | X ¹⁰ | X ⁹ | X ¹⁰ |
| Small Non-Pleasure Domestic Vessel Basic Safety | N/A | | X ¹¹ | | X ¹¹ |
| STCW Basic Safety | N/A | X ¹² | | X ¹² | |
| Survival Craft and Rescue Boats Other Than Fast Rescue Boats | N/A | X ¹³ | | X ¹³ | |

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| Qualifications | Level | Certificates of Competency | | | |
|--|-------|---|---|---|---|
| | | Master, Limited for a Vessel of 18 Metres in Length or More | Master, Limited for a Vessel of Less Than 18 Metres in Length | Chief Mate, Limited for a Vessel of 18 Metres in Length or More | Chief Mate, Limited for a Vessel of Less Than 18 Metres in Length |
| Advanced Fire Fighting | N/A | X ¹⁴ | | X ¹⁴ | |
| Marine Basic First Aid | N/A | X | X | X | X |
| Small Vessel Operator | N/A | | X ² | | X ² |
| “Passenger Module” of the Small Vessel Operator Course | N/A | | X ¹⁵ | | X ¹⁵ |
| “Tug Module” of the Small Vessel Operator Course | N/A | | X ¹⁶ | | X ¹⁶ |

Note 1: Qualification not required if the application relates to a vessel that will only operate in an area of operation for which only a basic knowledge of chartwork and navigation is necessary and the Minister determines that the person has this basic knowledge.

Note 2: Qualification required only if the application is in respect of a vessel engaged on a near coastal voyage, class 2.

Note 3: Qualification required only if the application is in respect of a vessel operating in an area of operation with other commercial traffic.

Note 4: Qualification required only if the application is in respect of a tug.

Note 5: Qualification required only if the application is in respect of a Ro-Ro passenger vessel.

Note 6: Qualification required only if the application is in respect of a vessel that is equipped with a radar.

Note 7: Qualification required only if the application is in respect of a vessel operating in sheltered waters and is equipped with a radar.

Note 8: Qualification required only if the application is in respect of a vessel that does not carry passengers and does not carry a fireman’s outfit.

Note 9: Qualification required only if the application is in respect of a passenger-carrying vessel that does not carry a fireman’s outfit.

Note 10: Qualification required only if the application is in respect of a passenger-carrying vessel.

Note 11: Qualification required only if the application is in respect of a vessel that is not a passenger-carrying vessel.

Note 12: Qualification required only if the application is in respect of a vessel that is carrying a fireman’s outfit.

Note 13: Qualification required only if the application is in respect of a vessel that has boat or life-raft launching equipment.

Note 14: Qualification required only if the application is in respect of a ferry that has more than one enclosed deck and that either is used during the period commencing on December 1 and ending on March 31 or engages on voyages other than sheltered waters voyages.

Note 15: Qualification required only if the application is in respect of a vessel that carries passengers and operating on the full scope of a near coastal voyage, class 2.

Note 16: Qualification required only if the application is in respect of a tug and operating on the full scope of a near coastal voyage, class 2.

Manner of determination

(2) The Minister must determine that a person possesses a qualification required by subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Master, Limited for a Vessel of 18 Metres in Length or More

1027 The Minister must, on application, issue a Master, Limited for a Vessel of 18 Metres in Length or More certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1026(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds a certificate of competency that will allow the person to serve as chief mate on board a vessel of at least 18 m in registered length, if the certificate being applied for is in respect of a vessel of at least 500 gross tonnage or that carries more than 50 passengers;
- (c) if the vessel in respect of which the application is made is equipped with a VHF radiotelephone installation, holds a radio operator certificate issued under the *Radiocommunication Act* that, under Part 3, allows the person to be in charge of the radio watch on board the vessel in any area in which the vessel is allowed to operate; and
- (d) has acquired the following sea service while on board a vessel that was engaged on a voyage that the vessel in respect of which the certificate is sought is allowed to engage on:
 - (i) in the case where the application is in respect of a vessel of at least 24 m in registered length,
 - (A) at least six months from an approved training program, while on board a vessel of at least 12 m in length overall that is not required to have a chief mate on board under Part 3,

(B) at least 12 months carrying out deck duties, while on board a vessel of at least 12 m in length overall that is not required to have a chief mate on board under Part 3,

(C) at least three months from an approved training program, after obtaining a certificate referred to in paragraph (b), and while serving as chief mate on board a vessel that is at least 18 m in registered length and that is required to have a chief mate on board under Part 3, or

(D) at least six months, after obtaining a certificate referred to in paragraph (b), and while serving as chief mate on board a vessel that is at least 18 m in registered length and that is required to have a chief mate on board under Part 3, or

(ii) in the case where the application is in respect of a vessel of less than 24 m in registered length,

(A) at least three months from an approved training program, on board a vessel of at least 12 m in length overall that is not required to have a chief mate on board under Part 3,

(B) at least six months carrying out deck duties on board a vessel of at least 12 m in length overall that is not required to have a chief mate on board under Part 3,

(C) at least six weeks from an approved training program, after obtaining a certificate referred to in paragraph (b) and while serving as chief mate on board a vessel that is at least 18 m in registered length and that is required to have a chief mate on board under Part 3, or

(D) at least three months, after obtaining a certificate referred to in paragraph (b) and while serving as chief mate on board a vessel that is at least 18 m in registered length and that is required to have a chief mate on board under Part 3, and

(e) after meeting the other requirements of this section, if the Minister determines it is necessary, passes an oral examination administered by the Minister on subject-matter appropriate to the area of operation and the type and length of the vessel to which the certificate relates as set out in *TP 2293*.

Master, Limited for a Vessel of Less Than 18 Metres in Length

1028 The Minister must, on application, issue a Master, Limited for a Vessel of Less Than 18 Metres in Length certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1026(1) for that certificate,

(a) if the vessel in respect of which the application is made is equipped with a VHF radiotelephone installation, holds a radio operator certificate issued under the *Radiocommunication Act* that, under Part 3, allows the person to be in charge of the radio watch on board the vessel in any area in which the vessel is allowed to operate; and

(b) has acquired the following sea service while on board a vessel that is of a length that is at least equivalent to the length of the vessel in respect of which the application is made, and

while that vessel was engaged on voyages that the vessel in respect of which the application is made is allowed to engage on:

- (i) at least two months carrying out deck duties, or
 - (ii) at least one month from an approved training program, and
- (c) after meeting the other requirements of this section, if the Minister determines it is necessary, passes an oral examination administered by the Minister on subject-matter appropriate to the area of operation and the type and length of the vessel to which the certificate relates as set out in *TP 2293*.

Chief Mate, Limited for a Vessel of 18 Metres in Length or More

1029 The Minister must, on application, issue a Chief Mate, Limited for a Vessel of 18 Metres in Length or More certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1026(1) for that certificate,

- (a) if the vessel in respect of which the application is made is equipped with a VHF radiotelephone installation, holds a radio operator certificate issued under the *Radiocommunication Act* that, under Part 3, allows the person to be in charge of the radio watch on board the vessel in any area in which the vessel is allowed to operate; and
- (b) in the case where the application is in respect of a vessel of 24 m registered length or more, has acquired the following sea service on board a vessel while the vessel was engaged on voyages that the vessel in respect of which the application is made is allowed to engage on:
 - (i) at least six months carrying out deck duties on board a vessel of at least 12 m in length overall;
 - (ii) a total of at least six months, consisting of
 - (A) up to three months as master or chief mate while holding a certificate that authorizes the person to be in charge of the deck watch, on board a vessel of at least 8.5 m in length overall, and
 - (B) at least three months carrying out deck duties on board a vessel of at least 12 m in length overall, or
 - (iii) at least three months carrying out deck duties on board a vessel of at least 12 m in length overall from an approved training program; or
- (c) in the case where the application is in respect of a vessel of less than 24 m registered length, has acquired the following sea service on board a vessel that was engaged on voyages that correspond to those that the vessel in respect of which the application is made is authorized to engage on:
 - (i) at least three months carrying out deck duties on board a vessel of at least 12 m in length overall;
 - (ii) a total of at least three months, consisting of

(A) up to six weeks as master or chief mate on board a vessel of at least 8.5 m in length overall while holding a certificate that authorizes the person to be in charge of the deck watch, and

(B) at least six weeks carrying out deck duties on board a vessel of at least 12 m in length overall, or

(iii) at least six weeks on board a vessel of at least 12 m length overall, as part of an approved training program, and

(d) after meeting the other requirements of this section, if the Minister determines it is necessary, passes an oral examination administered by the Minister on subject-matter appropriate to the area of operation and the type and length of the vessel to which the certificate relates as set out in *TP 2293*.

Chief Mate, Limited for a Vessel of Less Than 18 Metres in Length

1030 The Minister must, on application, issue a Chief Mate, Limited for a Vessel of Less Than 18 Metres in Length certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1026(1) for that certificate,

(a) if the vessel in respect of which the application is made is equipped with a VHF radiotelephone installation, holds a radio operator certificate issued under the *Radiocommunication Act* that, under Part 3, allows the person to be in charge of the radio watch on board the vessel in any area in which the vessel is allowed to operate; and

(b) has acquired the following sea service while on board a vessel that is of a length that is at least equivalent to the length of the vessel in respect of which the certificate is sought and while that vessel was engaged on a voyage that the vessel in respect of which the certificate is sought is allowed to engage on:

(i) at least one month carrying out deck duties, or

(ii) at least two weeks from an approved training program, and

(c) after meeting the other requirements of this section, if the Minister determines it is necessary, passes an examination administered by the Minister on subject-matter appropriate to the area of operation and the type and length of the vessel to which the certificate relates as set out in *TP 2293*.

Deck Certificates of Competency – STCW-F

Qualifications

1031 (1) A person who applies for a certificate of competency referred to in sections 1032 to 1034 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Deck Certificates of Competency – STCW-F

| Qualifications | Level | Certificates of Competency | | | |
|---------------------------------|-------|----------------------------------|--------------------------------|-----------------------------------|---------------------------------|
| | | Fishing Master, Unlimited Waters | Fishing Master, Limited Waters | Fishing Officer, Unlimited Waters | Fishing Officer, Limited Waters |
| Communications | N/A | X | X | | |
| Chartwork and Pilotage | 1 | | | | X |
| | 2 | X | X | X | |
| Celestial Navigation | 1 | X | | X | |
| Navigation Safety | 1 | X | X | X | X |
| | 2 | X | | | |
| Meteorology | N/A | X | X | X | |
| Ship Management | 1 | X | X | | |
| Ship Construction and Stability | 1 | | | X | X |
| | 2 | X | X | | |
| General Ship Knowledge | 1 | | X | | |
| | 2 | X | | | |
| SEN – Fishing | N/A | | X | X | X |
| SEN – Management | N/A | X | | | |

Manner of determination

(2) The Minister must determine that a person has a qualification required under subsection (1) if the person demonstrates they have the applicable competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Fishing Master, Unlimited Waters

1032 The Minister must, on application, issue a Fishing Master, Unlimited Waters certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1031(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 500 Gross Tonnage, Near Coastal,

- (ii) Watchkeeping Mate,
 - (iii) Watchkeeping Mate, Near Coastal,
 - (iv) Fishing Master, Limited Waters,
 - (v) Fishing Officer, Unlimited Waters,
 - (vi) Fishing Officer, Limited Waters,
 - (vii) Fishing Master, Second Class, or
 - (viii) Fishing Master, Third Class;
- (c) holds the following certificates of proficiency:
- (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b), has acquired at least 12 months of sea service as officer in charge of the deck watch or master, on board a vessel of at least 12 m in registered length while the vessel was engaged on voyages other than sheltered waters voyages, out of which no more than six months may be acquired on board a vessel other than a fishing vessel while serving as officer in charge of the deck watch; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Fishing Master, Limited Waters

1033 The Minister must, on application, issue a Fishing Master, Limited Waters certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1031(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds one of the following certificates of competency:
 - (i) Master 500 Gross Tonnage, Near Coastal,
 - (ii) Watchkeeping Mate,
 - (iii) Watchkeeping Mate, Near Coastal,

- (iv) Fishing Officer, Unlimited Waters,
 - (v) Fishing Officer, Limited Waters, or
 - (vi) Fishing Master, Third Class;
- (c) holds the following certificates of proficiency:
- (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (d) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (e) after obtaining a certificate referred to in paragraph (b), has acquired at least 12 months of sea service as officer in charge of the deck watch or as master, on board a vessel of at least 12 m in registered length while the vessel was engaged on voyages other than sheltered waters voyages, out of which no more than six months may be acquired while serving as officer in charge of the deck watch on board a vessel that is not a fishing vessel; and
- (f) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Fishing Officer, Unlimited Waters or Limited Waters

1034 The Minister must, on application, issue a Fishing Officer, Unlimited Waters certificate of competency or a Fishing Officer, Limited Waters certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1031(1) for the certificate applied for,

- (a) holds a medical certificate issued under Part 2;
- (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety, and
 - (ii) Marine Advanced First Aid;
- (c) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued by under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (d) has acquired the following sea service carrying out deck duties on board a vessel while the vessel was engaged on voyages other than sheltered waters voyages:

- (i) at least 24 months on board a fishing vessel of at least 12 m in registered length, of which up to 12 months may be substituted by a period in an approved training program that the person has successfully completed, or
 - (ii) at least 24 months on board a vessel other than a fishing vessel of at least 12 m in registered length; and
- (e) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Domestic Deck Certificates of Competency – Fishing

Qualifications

1035 (1) A person who applies for a certificate of competency referred to in sections 1036 or 1037 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Domestic Deck Certificates of Competency – Fishing

| Qualifications | Level | Certificates of Competency | |
|---------------------------------|-------|---|---|
| | | Fishing Master, 24 Metres, Limited Waters | Fishing Master, 14 Metres, Limited Waters |
| Chartwork and Navigation Safety | N/A | | X |
| Chartwork and Pilotage | 1 | X | |
| Navigation Safety | 1 | X | |
| Ship Construction and Stability | 1 | X | |
| SEN – Domestic | N/A | X | X |
| Domestic Vessel Safety | N/A | X | X |
| Marine Basic First Aid | N/A | X | X |

Manner of determination

(2) The Minister must determine that a person possesses a qualification required by subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Fishing Master, 24 Metres, Limited Waters

1036 The Minister must, on application, issue a Fishing Master, 24 Metres, Limited Waters certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1035(1) for that certificate,

- (a) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*;
- (b) has acquired the following sea service while on board a vessel of at least 6 m in length overall:
 - (i) at least 12 months carrying out deck duties, of which at least six months was acquired on board a fishing vessel, or
 - (ii) at least six months carrying out deck duties while on board a fishing vessel as part of an approved training program, and
- (c) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Fishing Master, 14 Metres, Limited Waters

1037 The Minister must, on application, issue a Fishing Master, 14 Metres, Limited Waters certificate of competency to a person if the person, in addition to possessing the qualifications required by subsection 1035(1) for that certificate,

- (a) holds a Restricted Operator Certificate – Maritime Commercial (ROC-MC) or a General Operator Certificate issued under paragraph 5(1)(a) of the *Radiocommunication Act*; and
- (b) has acquired the following sea service while on board a vessel of at least six m in length overall:
 - (i) at least six months carrying out deck duties, of which at least three of those months is acquired on board a fishing vessel; or
 - (ii) at least three months carrying out deck duties on board a fishing vessel as part of an approved training program.
- (c) after meeting the other requirements of this section, passes an oral examination on general seamanship administered by the Minister.

Former Certificates or Former Endorsements

Former certificates or former endorsements – Masters and Mates

1038 (1) The Minister must, on application by the holder of a former certificate or a former endorsement that is set out in column 1 of the table to this section, issue the corresponding certificate or endorsement set out in column 4 of the table to the person, if the person

- (a) holds a medical certificate issued under Part 2;

(b) has obtained, within the five years before the application date, a training certificate for one of the following approved training courses:

- (i) the SEN training course, if any, set out in column 2, and
- (ii) the MED training course, if any, set out in column 3; and

(c) has acquired the following sea service on board a vessel as an officer in charge of the deck watch:

- (i) in the case of a certificate set out in items 1 to 18 of column 1, either 12 months in the 5 years before the application date, or 3 months in the 6 months before the application date,
- (ii) in the case of a certificate set out in items 19 to 23 of column 1, 2 months in the 5 years before the application date, or
- (iii) where the sea service requirement in subparagraphs (i) or (ii) is not met, has passed a written examination on navigation safety applicable to the certificate, and an oral examination on general seamanship applicable to the certificate.

Table of SEN and MED training for former certificates and former endorsements

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|--|--------------------------------------|---|--|
| | Former certificate or former endorsement | SEN training requirements | MED training requirements | Certificate of competency or endorsement |
| 1 | Master, Ship of not more than 350 Tons, Gross Tonnage, or Tug, Home Trade Voyage | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Master, Ship of not more than 350 Tons, Gross Tonnage, or Tug, Home Trade Voyage |
| 2 | Master, Inland Waters | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Master, Inland Waters |
| 3 | Master, Ship of not more than 350 Tons, Gross Tonnage, or Tug, Inland Waters Voyage | SEN – Management | STCW Basic Safety, Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Master, Ship of not more than 350 Tons, Gross Tonnage, or Tug, Inland Waters Voyage |
| 4 | Certificate of Service as Master of a Steamship of not more than 350 tons, Gross Tonnage | SEN – Limited; SEN – Domestic | Domestic Vessel Safety | Certificate of Service as Master of a Steamship of not more than 350 tons, Gross Tonnage |
| 5 | First Mate, Inland Waters | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | First Mate, Inland Waters |
| 6 | Second Mate, Inland Waters | SEN – Operational | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Second Mate, Inland Waters |

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| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|--|---|--|---|
| | Former certificate or former endorsement | SEN training requirements | MED training requirements | Certificate of competency or endorsement |
| 7 | Master, Long Run Ferry | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Master, Long Run Ferry |
| 8 | Master, Intermediate Run Ferry | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | Master, Intermediate Run Ferry |
| 9 | Master, Short Run Ferry | SEN qualification required under subsection 1026(1) to receive a master limited certificate of competency for a vessel of the length of the ferry | MED qualifications required under subsection 1026(1) to receive a master limited certificate of competency for a vessel of the length of the ferry | Master, Short Run Ferry |
| 10 | First Mate, Long Run Ferry | SEN – Operational | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | First Mate, Long Run Ferry |
| 11 | First Mate, Intermediate Run Ferry | SEN – Operational | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced Fire Fighting | First Mate, Intermediate Run Ferry |
| 12 | First Mate, Short Run Ferry | SEN qualification required under subsection 1026(1) to receive a chief mate limited certificate of competency for a vessel of the length of the ferry | MED qualifications required under subsection 1026(1) to receive a chief mate limited certificate of competency for a vessel of the length of the ferry | First Mate, Short Run Ferry |
| 13 | Master 500 Gross Tonnage, Near Coastal with Tug 3 000 Gross Tonnage, Near Coastal endorsement | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced fire fighting | Master 500 Gross Tonnage, Near Coastal with Tug 3 000 Gross Tonnage, Near Coastal endorsement |
| 14 | Master, 500 Gross Tonnage, Near Coastal, with Tug 3 000 Gross Tonnage Limited Contiguous Waters Voyage endorsement | SEN – Management | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced fire fighting | Master, 500 Gross Tonnage, Near Coastal, with Tug 3000 Gross Tonnage Limited Contiguous Waters Voyage endorsement |
| 15 | Master 500 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage endorsement | SEN – Operational | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced fire fighting | Master 500 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage Endorsement |
| 16 | Chief Mate 500 Gross Tonnage, Domestic | SEN – Operational | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced fire fighting | Chief Mate 500 Gross Tonnage, Domestic |
| 17 | Master 150 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage Endorsement | SEN – Limited | Domestic Vessel Safety | Master 150 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage Endorsement |
| 18 | Chief Mate, 150 Gross Tonnage, Domestic | SEN – Limited | Domestic Vessel Safety | Chief Mate, 150 Gross Tonnage, Domestic |

| Item | Column 1 | Column 2 | Column 3 | Column 4 |
|------|--|---------------------------|---|--|
| | Former certificate or former endorsement | SEN training requirements | MED training requirements | Certificate of competency or endorsement |
| 19 | Fishing Master, Second Class | SEN – Fishing | STCW Basic Safety; Survival Craft and Rescue Boats Other Than Fast Rescue Boats; and Advanced fire fighting | Fishing Master, Second Class |
| 20 | Fishing Master, Fourth Class | N/A | Domestic Vessel Safety | Fishing Master, Fourth Class |
| 21 | Certificate of Service as Master, Fishing Vessel of up to 100 Gross Tonnage | N/A | Domestic Vessel Safety | Certificate of Service as Master, Fishing Vessel of up to 100 Gross Tonnage |
| 22 | Certificate of Service as Master of a Fishing Vessel of Less Than 60 Gross Tonnage | N/A | Domestic Vessel Safety | Certificate of Service as Master of a Fishing Vessel of Less Than 60 Gross Tonnage |
| 23 | Certificate of Service as Watchkeeping Mate of a Fishing Vessel of Less Than 24 Metres in Length | N/A | Domestic Vessel Safety | Certificate of Service as Watchkeeping Mate of a Fishing Vessel of Less Than 24 Metres in Length |

Issuance of former certificates or former endorsements not listed in the table to subsection (1)

(2) The Minister must, on application by a holder of a former certificate or a former endorsement that is not set out in column 1 of the table to subsection (1), issue the corresponding certificate or endorsement for that former certificate or former endorsement, after having completed the following measures:

(a) the Minister must evaluate the application by comparing the competencies, knowledge, understanding and proficiencies required to obtain the former certificate or the former endorsement with the competencies, knowledge, understanding and proficiencies required under these Regulations to obtain the new certificate the holder is seeking to receive in exchange, and

(b) if the Minister determines it is necessary, impose any additional requirements with respect to the competencies, knowledge, understanding and proficiencies of the holder, as the case may be, in order to proceed with that exchange.

Renewal

(3) The Minister must, on application, renew a certificate of competency issued under subsections (1) or (2), if the holder of that certificate

(a) holds a medical certificate issued under Part 2; and

(b) has met the requirements set out in paragraph (1)(c).

DIVISION 3

Engineer Officers, Electro-technical Officer, and Small Vessel Machinery Operator

Certificates of Competency

Qualifications

1039 (1) A person who applies for a certificate of competency referred to in sections 1040 to 1045 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Certificates of Competency – Engineering

| Qualifications | Level | Certificates of Competency | | | | |
|--|-------|--|--------------------|---|--|---------------------------------------|
| | | Chief Engineer Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal | Second Engineer | Chief Engineer Less than 3 000 kW Propulsion Power | Second Engineer Less than 3 000 kW Propulsion Power | Engineer in Charge of the Watch |
| Auxilliary Machinery and Systems | 1 | | | | | X |
| | 2 | X | X | X | X | |
| Motor Propulsion Systems ¹ | 1 | | | | | X |
| | 2 | X | X | X | X | |
| Steam Propulsion Systems ¹ | 1 | | | | | X |
| | 2 | X | X | X | X | |
| Applied Mechanics | 1 | | | | | X |
| | 2 | X | X | | | |
| Thermodynamics | 1 | | | | | X |
| | 2 | X | X | | | |
| Electro-technology and Automation | 1 | | | | | X |
| | 2 | X | X | X | X | |
| Naval Architecture | 1 | | | | | X |
| | 2 | X | X | X | | |
| Material Sciences | N/A | | | | | X |

| Qualifications | Level | Certificates of Competency | | | | |
|--|-------|--|--------------------|---|--|---------------------------------------|
| | | Chief Engineer Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal | Second Engineer | Chief Engineer Less than 3 000 kW Propulsion Power | Second Engineer Less than 3 000 kW Propulsion Power | Engineer in Charge of the Watch |
| Applied Chemistry for Marine Engineers | N/A | | | | | X |
| Maritime Law and Ships Business | 1 | | | | | X |
| | 2 | X | X | X | X | |
| Technical Drawing | N/A | X | X | X | X | X |
| High Voltage Safety - Operational ² | N/A | | | | | X |
| High Voltage Safety - Management ² | N/A | X | X | X | X | |
| Engine Room Management Practices | N/A | X | X | X | X | |
| Engine Room Operation Practices | N/A | X | X | X | X | X |
| Applied Mathematics | N/A | | | | | X |
| Leadership and Teamworking Skill | N/A | | | | | X |
| Leadership and Managerial Skill | N/A | X | X | X | X | |
| Practical Skills | N/A | X | X | X | X | X |
| English Language Proficiency | N/A | X | X | X | X | X |

Note 1: A person must demonstrate one or both of the Motor Propulsion Systems or Steam Propulsion Systems qualifications. Certificates of competency must have a limitation to those types of propulsion systems for which the person has demonstrated the corresponding qualification.

Note 2: For a person who has not demonstrated that they possess the High Voltage Safety qualification, Certificates of Competency must have a limitation to vessels that have a voltage power system of less than 1 000 volts.

Manner of determination

- (2) The Minister must determine that a person possesses a qualification required by subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and

proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person has passed an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Engineer in Charge of the Watch

1040 The Minister must, on application, issue an Engineer in Charge of the Watch certificate of competency, valid on a motor vessel or a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid;
- (c) has acquired the following sea service requirements on board a vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW:
 - (i) in the case of an application for a certificate valid on either a motor vessel or a steam vessel,
 - (A) if the person has successfully completed an approved training program for engineer officers, at least six months carrying out the duties of an assistant engineer as part of an engineering watch, under the supervision of a qualified engineer, on board a vessel equipped with the type of propulsion system to which the application relates, or
 - (B) if the person has not completed the training program referred to in clause (A), 36 months of qualifying service out of which at least 30 months must be sea service in the engine department on board a vessel equipped with the type of propulsion system to which the application relates, including, in the case of a small vessel machine operator, a maximum of 12 months carrying out that function. In both cases, the sea service must include at least six months as part of an engineering watch under the supervision of a qualified engineer; or
 - (ii) in the case of an application for a certificate valid on both a motor vessel and a steam vessel, the person

(A) has accumulated the total sea service required in subparagraph (c)(i) that includes at least three months of sea service on each type of vessel under the supervision of a qualified engineer, and the remainder in any combination, or

(B) holds at least an Engineer of the Watch certificate of competency valid on one type of vessel, and has acquired three months of sea service under the supervision of a qualified engineer on the other type of vessel; and

(d) passes the following examinations:

(i) after meeting the requirements of paragraphs (a) and (b) and subparagraph (c)(i), a written examination administered by the Minister on engineering knowledge of vessels, and an oral examination administered by the Minister on the functions listed in table A-III/1 of the *STCW Code* appropriate to the type of propulsion system to which the application relates and to the rank sought;

(ii) after meeting the requirements of paragraphs (a) and (b) and clause (c)(ii)(A), a written examination administered by the Minister on engineering knowledge of vessels, and an oral examination administered by the Minister on the functions listed in table A-III/1 of the *STCW Code* and appropriate to both type of propulsion systems and to the rank sought, or

(iii) after meeting the requirements of paragraphs (a) and (b) and clause (c)(ii)(B), passes an oral examination administered by the Minister on the functions listed in table A-III/1 of the *STCW Code* and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Second Engineer Less Than 3 000 kW Propulsion Power

1041 (1) The Minister must, on application, issue a Second Engineer Less Than 3 000 kW Propulsion Power certificate of competency, valid on a motor vessel or a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a medical certificate issued under Part 2;

(b) holds an Engineer in Charge of the Watch certificate of competency meeting the requirements of regulation III/1 of the annex to the *STCW Convention*;

(c) holds the following certificates of proficiency:

(i) STCW Basic Safety,

(ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, and

(iii) Advanced Fire Fighting,

(d) after obtaining the certificate referred to in paragraph (b),

(i) if the person has successfully completed an approved training program for engineer officers, acquires at least six months of sea service on board a vessel, other than a

stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 750 kW, while serving as, or in any combination as, a Chief Engineer Officer, a Second Engineer Officer, or an Officer in Charge of an Engineering Watch, or

(ii) if the person has not completed the training referred to in subparagraph (i), acquires at least 12 months of the sea service referred to in that subparagraph; and

(e) after meeting the other requirements of this subsection, passes the following examinations:

(i) a written examination administered by the Minister on engineering knowledge of vessels; and

(ii) an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to vessels of less than 3 000 kW propulsion power, and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Second Engineer Less Than 3 000 kW Propulsion Power – motor vessel

(2) The Minister must, on application, issue a Second Engineer Less Than 3 000 kW Propulsion Power certificate of competency valid on a motor vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a Chief Engineer certificate of competency; a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, a Second Engineer certificate of competency, a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency, or a Second Engineer Less Than 3 000 kW Propulsion power certificate of competency, valid on a steam vessel,

(b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a motor vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW; and

(c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, limited to motor vessels of less than 3 000 kW propulsion power and appropriate to the rank sought.

Second Engineer Less Than 3 000 kW Propulsion Power – steam vessel

(3) The Minister must, on application, issue a Second Engineer Less Than 3 000 kW Propulsion Power certificate of competency valid on a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a Chief Engineer certificate of competency; a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, a Second Engineer certificate of competency, a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of

competency, or a Second Engineer Less Than 3 000 kW Propulsion power certificate of competency, valid on a motor vessel,

(b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a steam vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW; and

(c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, limited to steam vessels of less than 3 000 kW propulsion power and appropriate to the rank sought.

Chief Engineer Less Than 3 000 kW Propulsion Power

1042 (1) The Minister must, on application, issue a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency, valid on a motor vessel or a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a medical certificate issued under Part 2;

(b) holds a Second Engineer Less Than 3 000 kW Propulsion Power certificate of competency;

(c) holds the following certificates of proficiency:

(i) STCW Basic Safety,

(ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, and

(iii) Advanced Fire Fighting,

(d) after obtaining the certificate referred to in paragraph (b), has acquired at least 12 months of sea service on board a vessel, other than a stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 750 kW, while serving as, or in any combination as, a chief engineer officer, a second engineer officer or an officer in charge of an engineering watch; and

(e) after meeting the other requirements of this subsection, passes the following examinations:

(i) a written examination administered by the Minister on engineering knowledge of vessels; and

(ii) an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to vessels of less than 3 000 kW propulsion power, and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Chief Engineer Less Than 3 000 kW Propulsion Power – motor vessel

(2) The Minister must, on application, issue a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency valid on a motor vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a Chief Engineer certificate of competency; a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, a Second Engineer certificate of competency, or a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency, valid on a steam vessel,

(b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a motor vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW; and

(c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, limited to motor vessels of less than 3 000 kW propulsion power and appropriate to the rank sought.

Chief Engineer Less Than 3 000 kW Propulsion Power – steam vessel

(3) The Minister must, on application, issue a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency valid on a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a Chief Engineer certificate of competency, a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, a Second Engineer certificate of competency, or a Chief Engineer Less Than 3 000 kW Propulsion Power certificate of competency, valid on a motor vessel,

(b) after having obtained an Engineer in Charge of an Engineering Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a steam vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW, and

(c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, limited to steam vessels of less than 3 000 kW propulsion power and appropriate to the rank sought.

Second Engineer

1043 (1) The Minister must, on application, issue a Second Engineer certificate of competency, valid on a motor vessel or a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate

(a) holds a medical certificate issued under Part 2;

- (b) holds an Engineer in Charge of the Watch certificate of competency issued under section 1040 that is valid on a motor vessel or a steam vessel;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, and
 - (iii) Advanced Fire Fighting,
- (d) after obtaining the certificate referred to in paragraph (b), has acquired at least 12 months of sea service on board a vessel, other than a stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 750 kW, while serving as, or in any combination as, a Chief Engineer, a Second Engineer or an Engineer in charge of the Watch, out of which 3 months must be on board a vessel that has a propulsion power of at least 3 000 kW; and
- (e) after meeting the other requirements of this subsection, passes the following examinations:
 - (i) a written examination administered by the Minister on engineering knowledge of vessels; and
 - (ii) an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Second Engineer – motor vessel

- (2) The Minister must, on application, issue a Second Engineer certificate of competency valid on a motor vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,
 - (a) holds a Chief Engineer certificate of competency, a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, or a Second Engineer certificate of competency, valid on a steam vessel,
 - (b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both motor a vessel and a steam vessel, has acquired six months of sea service on board a motor vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW; and
 - (c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to motor vessels and appropriate to the rank sought.

Second Engineer – steam vessel

(3) The Minister must, on application, issue a Second Engineer certificate of competency valid on a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a Chief Engineer certificate of competency, a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency, or a Second Engineer certificate of competency valid on a motor vessel,

(b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a steam vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW; and

(c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to steam vessels and appropriate to the rank sought.

Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal

1044 The Minister must, on application, issue a Chief Engineer Less Than 6 000 kW Propulsion Power, Near Coastal certificate of competency valid on a motor vessel or a steam vessel to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

(a) holds a medical certificate issued under Part 2;

(b) holds a Second Engineer certificate of competency valid on a motor vessel or a steam vessel;

(c) holds the following certificates of proficiency:

(i) STCW basic safety,

(ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, and

(iii) Advanced Fire Fighting,

(d) after obtaining the certificate referred to in paragraph (b), has acquired at least three months of sea service on board a vessel, other than a stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 3 000 kW, while serving as, or in any combination as, a second engineer officer or a chief engineer officer, and

(e) after meeting the other requirements of this section, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Chief Engineer

1045 (1) The Minister must, on application, issue a Chief Engineer certificate of competency valid on a motor vessel or a steam vessel to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

- (a) holds a medical certificate issued under Part 2;
- (b) holds either an Engineer in Charge of the Watch certificate of competency issued under section 1040 or a Second Engineer certificate of competency that is valid on a motor vessel or a steam vessel;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats, and
 - (iii) Advanced Fire Fighting,
- (d) after obtaining a certificate referred to in paragraph (b), has acquired
 - (i) subject to subparagraph (iii), at least 36 months on board a vessel, other than a stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 750 kW, while serving as an Officer in charge of an engineering watch, other than a small vessel machinery operator, out of which a minimum of 12 months were served on board a vessel that has a propulsion power of at least 3 000 kW, or
 - (ii) at least 12 months on board a vessel, other than a stationary MOU, that is equipped with the type of propulsion system to which the application relates and has a propulsion power of at least 3 000 kW, while holding a Second Engineer certificate of competency and serving as, or in any combination as, chief engineer officer or second engineer officer,
 - (iii) for the purpose of subparagraph (i), each month of service, up to 12 months, is credited at double the rate if it is acquired while serving as, or in any combination as, Chief Engineer Officer or Second Engineer Officer on board a vessel that has a propulsion power of at least 3 000 kW; and
- (e) after meeting the other requirements of this subsection, passes the following examinations:
 - (i) a written examination administered by the Minister on engineering knowledge of vessels; and
 - (ii) an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code*, and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Chief Engineer – motor vessel

(2) The Minister must, on application, issue a Chief Engineer certificate of competency valid on a motor vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

- (a) holds a Chief Engineer certificate of competency, valid on a steam vessel,
- (b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a motor vessel, other than a stationary MOU, that has a propulsion power of at least 3 000 kW, and
- (c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to motor vessels and appropriate to the rank sought.

Chief Engineer – steam vessel

(3) The Minister must, on application, issue a Chief Engineer certificate of competency valid on a steam vessel, to a person if the person, in addition to possessing the qualifications required by subsection 1039(1) for that certificate,

- (a) holds a Chief Engineer certificate of competency, valid on a motor vessel,
- (b) after having obtained an Engineer in Charge of the Watch certificate of competency issued under section 1040, valid on both a motor vessel and a steam vessel, has acquired six months of sea service on board a steam vessel, other than a stationary MOU, that has a propulsion power of at least 3 000 kW, and
- (c) after meeting the other requirements of this subsection, passes an oral examination administered by the Minister on the functions listed in table A-III/2 of the *STCW Code* limited to steam vessels and appropriate to the rank sought.

Small Vessel Machinery Operator

1046 The Minister must, on application, issue a Small Vessel Machinery Operator certificate of competency to a person, if the person

- (a) holds an Engine-room Rating certificate of competency or an Able Seafarer Engine certificate of competency and passes an oral examination administered by the Minister on the functions and responsibilities of a small vessel machinery operator, or
- (b) meets the following conditions:
 - (i) the person holds training certificates for the following courses:
 - (A) an approved training course in domestic vessel safety, and
 - (B) an approved training course in marine basic first aid, or a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of a two-day first aid course;

(ii) the person has acquired the following sea service on board a vessel of at least 750 kW propulsion power carrying out functions related to engine room operations under the supervision of a qualified engineer or a person holding a small vessel machinery operator certificate of competence:

(A) if the person has successfully completed a small vessel machinery operator approved training course, at least one month, or

(B) if the person did not complete the training referred to in clause (A), at least three months; and

(iii) after meeting the requirements of

(A) clause (ii)(A), passes an oral examination administered by the Minister on the functions and responsibilities of a small vessel machinery operator, or

(B) clause (ii)(B), passes both a written examination administered by the Minister on general engineering knowledge of small vessels and an oral examination administered by the Minister on the functions and responsibilities of a small vessel machinery operator.

Electro-technical officer

1047 The Minister must, on application, issue an Electro-technical Officer certificate of competency to a person if the person:

(a) holds a medical certificate issued under Part 2;

(b) holds the following certificates of proficiency:

(i) STCW Basic Safety,

(ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,

(iii) Advanced Fire Fighting, and

(iv) Marine Advanced First Aid;

(c) demonstrates that they have the competencies, knowledge, understanding and proficiencies listed in table A-III/6 of the *STCW Code* in the manner set out in *TP 2293*;

(d) has six months of sea service on board a vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW, while carrying out functions of monitoring, operating and maintaining electrical, electronic and control systems under the supervision of an Electro-technical Officer, a Chief Engineer Officer holding a Chief Engineer certificate of competency or a person holding an interprovincial trade qualification as an industrial electrician or an instrumentation and control technician serving as an Electro-technical Officer, and

(e) after meeting the other requirements of this section, passes an oral examination administered by the Minister on the competencies, knowledge, understanding and proficiencies set out in table A-III/6 of the *STCW Code*.

Electro-technical officer – five-year transitional provision

1048 Within five years of the coming into force of section 1047, the Minister must, on application, issue an Electro-technical Officer certificate of competency to a person, if the person

- (a) demonstrates that they have the competencies, knowledge, understanding and proficiencies listed in table A-III/6 of the *STCW Code* in the manner set out in *TP 2293*;
- (b) has 12 months experience on board a vessel in the position of electro-technical officer, electrician or similar position carrying out functions of operation or maintenance of electrical power systems in the 60 months preceding the date on which these regulations come into force; and
- (c) after meeting the other requirements of this section, passes an oral examination administered by the Minister on the competencies, knowledge, understanding and proficiencies set out in table A-III/6 of the *STCW Code*.

DIVISION 4

Ratings – STCW Certificates of Competency

Able Seafarer Deck

1049 The Minister must, on application, issue an Able Seafarer Deck certificate of competency to a person if the person

- (a) holds a medical certificate issued under Part 2;
- (b) holds a Bridge Watch Rating certificate of competency;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety, and
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats;
- (d) demonstrates that they have the competencies, knowledge, understanding and proficiencies listed in table A-II/5 of the *STCW Code*
 - (i) in the manner set out in *TP 2293*, or
 - (ii) in the case of a person complying with the sea service requirement in subparagraph (e)(ii), after completing the required sea service, passes a written examination and a practical examination administered by the Minister; and
- (e) after obtaining the certificate referred to in paragraph (b), has acquired the following sea service on board a vessel of at least 24 m in registered length while the vessel has engaged on voyages other than sheltered waters voyages:

- (i) if the person has successfully completed an able seafarer deck approved training program, at least 12 months carrying out deck duties, or
- (ii) if the person has not completed the program referred to in subparagraph (i), at least 18 months carrying out deck duties.

Bridge Watch Rating

1050 The Minister must, on application, issue a Bridge Watch Rating certificate of competency to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued;
- (b) holds a medical certificate issued under Part 2;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety, and
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats;
- (d) demonstrates that they have the competencies, knowledge, understanding and proficiencies listed in table A-II/4 of the *STCW Code*
 - (i) in the manner set out in *TP 2293*; or
 - (ii) in the case of a person complying with the sea service requirement in subparagraph (e)(ii), after completing the required sea service
 - (A) successfully completes a training course in steering or a steering testimonial, and
 - (B) passes a written examination administered by the Minister; and
- (e) has acquired the following amount of sea service carrying out deck duties involving the carrying out of navigational watchkeeping functions, including steering functions carried out under the direct supervision of the master, a deck officer or a member of the navigational watch who holds a Bridge Watch Rating certificate of competency or an Able Seafarer Deck certificate of competency on board a vessel of at least 24 m in registered length while the vessel was engaged on voyages other than sheltered waters voyages:
 - (i) if the person has successfully completed an approved training program in bridge watchkeeping duties, at least two months, or
 - (ii) if the person has not completed the training program referred to in subparagraph (i), at least six months.

Engine-room Rating

1051 The Minister must, on application, issue an Engine-room Rating certificate of competency to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued;
- (b) holds a medical certificate issued under Part 2;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety, and
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats;
- (d) demonstrates that they have the competencies, knowledge, understanding and proficiencies
 - (i) in the manner set out in *TP 2293*, or
 - (ii) in the case of a person complying with the sea service requirement in subparagraph (e)(ii),
 - (A) by completing an approved training record book, and
 - (B) after completing the required sea service, passing a written examination administered by the Minister on the competencies, knowledge, understanding and proficiencies set out in table A-III/4 of the *STCW Code*; and
- (e) has acquired the following sea service on board a vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW:
 - (i) if the person has successfully completed an approved engine room rating training course, at least two months carrying out functions related to engine room operations, or
 - (ii) if the person has not completed the training course referred to in subparagraph (i), at least six months carrying out functions related to engine room operations under the supervision of a qualified engineer.

Able Seafarer Engine

1052 The Minister must, on application, issue an Able Seafarer Engine certificate of competency to a person if the person

- (a) holds a medical certificate issued under Part 2;
- (b) holds an Engine-room Rating certificate of competency;
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety, and
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats;
- (d) demonstrates that they have the competencies, knowledge, understanding and proficiencies
 - (i) in the manner set out in *TP 2293*, and

(ii) in the case of a person complying with the sea service requirement in subparagraph (e)(ii),

(A) by completing an approved training record book, and

(B) after acquiring the required sea service in subparagraph (e)(ii), passing a written examination administered by the Minister on the competencies, knowledge, understanding and proficiencies set out in table A-III/5 of the *STCW Code*; and

(e) has acquired the following amount of sea service while holding an Engine-room Rating certificate of competency, on board a vessel, other than a stationary MOU, that has a propulsion power of at least 750 kW:

(i) if the person has successfully completed an approved able seafarer engine training program, at least six months carrying out functions related to engine room operations, or

(ii) if the person has not completed the training program referred to in subparagraph (i), at least 12 months carrying out functions related to engine room operations, under the supervision of a qualified engineer.

Certificate of Competency – Ship’s Cook

Ship’s Cook

1053 The Minister must, on application, issue a Ship’s Cook certificate of competency to a person if the person

(a) holds a medical certificate issued under Part 2;

(b) holds an STCW Basic Safety certificate of proficiency;

(c) demonstrates, in the manner set out in *TP 2293*, that they have the theoretical and practical knowledge to understand the basic principles involved in the following subjects;

(i) hygiene and sanitation standards including food hygiene, food safety, prevention of food-borne disease and personal hygiene,

(ii) workplace health and safety standards,

(iii) menu planning including nutritional and health considerations and considerations of religious requirements and cultural practices,

(iv) preparation, cooking, baking and serving a variety of meals; and

(d) has acquired at least one month sea service carrying out functions related to galley department operations.

DIVISION 5

Certificates of Proficiency

Certificates of Proficiency for Emergencies

STCW Basic Safety

1054 (1) The Minister must, on application, issue an STCW Basic Safety certificate of proficiency to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued,
- (b) holds a medical certificate issued under Part 2, and
- (c) has obtained, within the five years before the application date, a training certificate for an approved training course in STCW basic safety.

Renewal

(2) The Minister must, on application, renew an STCW Basic Safety certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for an approved training course in STCW basic safety, or for a refresher course; or
- (b) has been an instructor in Canada for the training referred to in paragraph (a).

Survival Craft and Rescue Boats Other Than Fast Rescue Boats

1055 (1) The Minister must, on application, issue a Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency to a person if the person

- (a) holds a medical certificate issued under Part 2;
- (b) has obtained, within the five years before the application date, a training certificate for an approved course in survival craft and rescue boats other than fast rescue boats; and
- (c) has acquired at least six months of sea service on board a vessel equipped with a survival craft.

Renewal

(2) The Minister must, on application, renew a Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for an approved training course in survival craft and rescue boats other than fast rescue boats, or for a refresher course; or
- (b) has been an instructor in Canada for the training referred to in paragraph (a).

Fast Rescue Boats

1056 (1) The Minister must, on application, issue a Fast Rescue Boats certificate of proficiency to a person if the person

- (a) holds a medical certificate issued under Part 2;
- (b) holds a Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency; and
- (c) has obtained, within the five years before the application date, a training certificate for an approved training program in fast rescue boats.

Renewal

(2) The Minister must, on application, renew a Fast Rescue Boats certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for an approved training program in fast rescue boats, or for a refresher course; or
- (b) has been an instructor in Canada for the training referred to in paragraph (a).

Restricted Proficiency in Survival Craft and Rescue Boats Other Than Fast Rescue Boats

1057 The Minister must, on application, issue a Restricted Proficiency in Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency to a person if the person

- (a) has passed a practical examination on the life-saving apparatus, appliances and equipment to which the application relates; and
- (b) has acquired at least one month of sea service on board a vessel in respect of which the application relates.

Advanced Fire Fighting

1058 (1) The Minister must, on application, issue an Advanced Fire Fighting certificate of proficiency to a person if the person

- (a) holds a medical certificate issued under Part 2; and
- (b) has obtained, within the five years before the application date, a training certificate for an approved training course in advanced fire fighting.

Renewal

(2) The Minister must, on application, renew an Advanced Fire Fighting certificate of proficiency of a person if, within the five years before the application date for renewal, the person

- (a) has obtained a training certificate for an approved training program in advanced fire fighting, or for a refresher course; or
- (b) has been an instructor in Canada for the training referred to in paragraph (a).

Certificates of Proficiency for Medical First Aid and Care

Marine Advanced First Aid

1059 (1) The Minister must, on application, issue a Marine Advanced First Aid certificate of proficiency to a person if, within the five years before the application date, the person has obtained a training certificate for an approved training program in marine advanced first aid.

Renewal

- (2) The Minister must, on application, renew a Marine Advanced First Aid certificate of proficiency of a person if, within the five years before the application date, the person
 - (a) has obtained a training certificate for an approved training program in marine advanced first aid; or
 - (b) has been an instructor in Canada for the training referred to in paragraph (a).

Marine Medical Care

1060 (1) The Minister must, on application, issue a Marine Medical Care certificate of proficiency to a person if, within the five years before the application date, the person has obtained a training certificate for an approved training course in marine medical care.

Renewal

- (2) The Minister must, on application, renew a Marine Medical Care certificate of proficiency of a person if, within the five years before the application date, the person
 - (a) has obtained a training certificate for an approved training course in marine medical care,
 - (b) has obtained a training certificate for an approved training course in marine advanced first aid, or
 - (c) has been an instructor in Canada for the training referred to in paragraphs (a) or (b).

Certificates of Proficiency for Tanker Operations

Basic Training for Oil and Chemical Tanker Cargo Operations

1061 (1) The Minister must, on application, issue a Basic Training for Oil and Chemical Tanker Cargo Operations - Officer certificate of proficiency, or a Basic Training for Oil and Chemical Tanker Cargo Operations - Rating certificate of proficiency, to a person if the person

- (a) is at least 16 years of age on the day the certificate is issued;

- (b) holds a medical certificate issued under Part 2;
- (c) holds an STCW Basic Safety certificate of proficiency; and
- (d) has obtained, within the five years before the application date, a training certificate for an approved training course in basic training for oil and chemical tanker cargo operations.

Renewal

(2) The Minister must, on application, renew a Basic Training for Oil and Chemical Tanker Cargo Operations - Officer certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for an approved training course in basic training for oil and chemical tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a); or
- (c) has acquired at least three months of sea service, on board an oil or chemical tanker or other vessel carrying oil or chemicals as cargo, carrying out duties appropriate to the tanker certificate held.

Basic Training for Liquefied Gas Tanker Cargo Operations

1062 (1) The Minister must, on application, issue a Basic Training for Liquefied Gas Tanker Cargo Operations - Officer certificate of proficiency, or a Basic Training for Liquefied Gas Tanker Cargo Operations - Rating certificate of proficiency, to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued;
- (b) holds a medical certificate issued under Part 2;
- (c) holds an STCW Basic Safety certificate of proficiency; and
- (d) has obtained, within the five years before the application date, a training certificate for an approved training course in basic training for liquefied gas tanker cargo operations.

Renewal

(2) The Minister must, on application, renew a Basic Training for Liquefied Gas Tanker Cargo Operations - Officer certificate of proficiency of a person if, within the five years before the application, the person

- (a) has obtained a training certificate for an approved training course in basic training for liquefied gas tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a); or
- (c) has acquired at least three months of sea service on board a liquefied gas tanker carrying out duties appropriate to the tanker certificate held.

Advanced Training for Oil Tanker Cargo Operations

1063 (1) The Minister must, on application, issue an Advanced Training for Oil Tanker Cargo Operations certificate of proficiency to a person if the person

- (a) holds a Basic Training for Oil and Chemical Tanker Cargo Operations certificate of proficiency;
- (b) holds a Master, deck officer or engineer officer certificate of competency, other than the Small Vessel Machinery Operator certificate;
- (c) has obtained, within the five years before the application date, a training certificate for an approved training course in advanced training for oil tanker cargo operations; and
- (d) after obtaining the certificate referred to in paragraph (a), has acquired at least three months of sea service as a master, deck officer or engineer officer, on board an oil tanker or other vessel carrying oil as cargo, carrying out duties appropriate to the tanker certificate held.

Renewal

(2) The Minister must, on application, renew an Advanced Training for Oil Tanker Cargo Operations certificate of proficiency of a person if, within the five years before the date of application, the person

- (a) has obtained a training certificate for an approved training course in advanced training for oil tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a); or
- (c) has acquired at least three months of sea service as a master, deck officer or engineer officer, on board an oil tanker or other vessel carrying oil as cargo while carrying out duties appropriate to the tanker certificate held.

Advanced Training for Chemical Tanker Cargo Operations

1064 (1) The Minister must, on application, issue an Advanced Training for Chemical Tanker Cargo Operations certificate of proficiency to a person if the person

- (a) holds a Basic Training for Oil and Chemical Tanker Cargo Operations certificate of proficiency;
- (b) holds a Master, deck officer or engineer officer certificate of competency, other than the Small Vessel Machinery Operator certificate;
- (c) has obtained, within the five years before the application date, a training certificate for an approved training course in chemical tanker cargo operations; and
- (d) after obtaining the certificate referred to in paragraph (a), has acquired at least three months of sea service as a master, deck officer or engineer officer, on board a chemical tanker, carrying out duties appropriate to the tanker certificate held.

Renewal

(2) The Minister must, on application, renew an Advanced Training for Chemical Tanker Cargo Operations certificate of proficiency of a person if, within the five years before the date of application, the person

- (a) has obtained a training certificate for an approved training course in advanced training for chemical tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a); or
- (c) has acquired at least three months of sea service as a master, deck officer or engineer officer on board a chemical tanker or other vessel carrying chemicals as cargo, carrying out duties appropriate to the tanker certificate held.

Advanced Liquefied Gas Tanker Cargo Operations

1065 (1) The Minister must, on application, issue an Advanced Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency to a person if the person

- (a) holds a Basic Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency;
- (b) holds a Master, deck officer or engineer officer certificate of competency, other than the Small Vessel Machinery Operator certificate;
- (c) has obtained, within the five years before the application date, a training certificate for an approved training course in advanced training for liquefied gas tanker cargo operations; and
- (d) after obtaining the certificate referred to in paragraph (a), has acquired at least three months of sea service as a deck officer or engineer officer on board a liquefied gas tanker, carrying out duties appropriate to the tanker certificate held.

Renewal

(2) The Minister must, on application, renew an Advanced Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency of a person if, within the five years before the date of application, the person

- (a) has obtained a training certificate for an approved training course in advanced training for liquefied gas tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a); or
- (c) has acquired at least three months of sea service as a master, deck officer or engineer officer on board a liquefied gas tanker or other vessel carrying liquefied gas as cargo, carrying out duties appropriate to the tanker certificate held.

Basic Training for Service on Ships Subject to the IGF Code

1066 (1) The Minister must, on application, issue a Basic Training for Service on Ships Subject to the *IGF Code* certificate of proficiency to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued; and
- (b) within the five years before the application date, has obtained
 - (i) a training certificate for an approved training course in basic training for service on ships subject to the *IGF Code*;
 - (ii) a Basic Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency; or
 - (iii) an Advanced Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency.

Renewal

(2) The Minister must, on application, renew a Basic Training for Ships on Vessels Subject to the *IGF Code* certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for any of the following approved training courses, or for refresher courses:
 - (i) basic training for service on ships subject to the *IGF Code*,
 - (ii) basic training for liquefied gas tanker cargo operations, or
 - (iii) advanced training for liquefied gas tanker cargo operations; or
- (b) has been an instructor in Canada for the training referred to in paragraph (a).

Advanced Training for Service on Ships Subject to the IGF Code

1067 (1) The Minister must, on application, issue an Advanced Training for Service on Ships Subject to the *IGF Code* certificate of proficiency to a person who

- (a) holds a master, deck officer or engineer officer certificate of competency, other than the Small Vessel Machinery Operator certificate;
- (b) holds a Basic Training for Ships Subject to the *IGF Code* certificate of proficiency; and
- (c) satisfies either of the following:
 - (i) the person
 - (A) has obtained, within the five years before the application date, a training certificate for an approved training course in advanced training for service on ships subject to the *IGF Code*, and

(B) after obtaining the certificate referred to in paragraph (a), has acquired at least one month of sea service during which the person participated in at least three bunkering operations on board a vessel subject to the *IGF Code* where up to two bunkering operations may be replaced by approved simulator training on bunkering operations as part of the training referred to in clause (A); or

(ii) within the five years before the application date and while holding an Advanced Training for Liquefied Gas Tanker Cargo Operations certificate of proficiency, has acquired

(A) at least one month of sea service during which the person has participated in at least three bunkering operations on board a vessel subject to the *IGF Code*, or

(B) at least three months of sea service on board a vessel subject to the *IGF Code*, or a liquefied gas tanker carrying fuel covered by the *IGF Code* as cargo.

Renewal

(2) The Minister must, on application, renew an Advanced Training for Service on Ships Subject to the *IGF Code* certificate of proficiency of a person if, within the five years before the application date, the person

(a) has obtained a training certificate for an advanced training for an approved training course in service on ships subject to the *IGF Code*, or for a refresher course; or

(b) has been an instructor in Canada for the training referred to in paragraph (a).

Supervisor of an Oil Transfer Operation

1068 (1) The Minister must, on application, issue a Supervisor of an Oil Transfer Operation certificate of proficiency to a person if the person

(a) holds a training certificate for an approved course in STCW basic safety;

(b) holds a training certificate for one of the following approved training courses:

(i) supervision of an oil transfer operation, or

(ii) advanced training for oil tanker cargo operations; and

(c) within the five years before the application date, has acquired at least three months of service carrying out duties relating to oil transfer operations on board an oil tanker or other vessel carrying oil as cargo.

Renewal

(2) The Minister must, on application, renew a Supervisor of an Oil Transfer Operation certificate of proficiency of a person if, within the five years before the application date, the person

(a) has obtained training certificate for one of the following approved training courses:

- (i) supervision of an oil transfer operation, or
 - (ii) advanced training for oil tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a);
- (c) has acquired at least three months of sea service carrying out duties relating to oil transfer operations on board an oil tanker or other vessel carrying oil as cargo; or
- (d) has acquired at least 24 months of service as a shore captain or marine superintendent in charge of supervising the loading, unloading or transferring of oil cargo.

Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N)

1069 (1) Subject to subsection (2), the Minister must, on application, issue a Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N) certificate of proficiency to a person if the person has, within the five years before the application date, under the supervision of the holder of such a certificate,

- (a) assisted in at least three oil transfer operations in waters north of 60° N, while holding a Supervisor of an Oil Transfer Operation certificate of proficiency;
- (b) acquired two Arctic shipping seasons of service, during which the person has assisted in at least three oil transfer operations in waters north of 60° N; or
- (c) assisted in at least six oil transfer operations in waters north of 60° N.

Additional requirements

(2) If the person does not hold a Supervisor of an Oil Transfer Operation certificate of proficiency, the person must, in addition to meeting the requirements of paragraph (1)(b) or (c),

- (a) hold a training certificate for an approved training course in STCW basic safety;
- (b) hold a training certificate for one of the following approved training courses:
 - (i) supervision of an oil transfer operation, or
 - (ii) advanced training for oil tanker cargo operations; and
- (c) have acquired at least three months of service carrying out duties relating to oil transfer operations on board an oil tanker or other vessel carrying oil as cargo.

Renewal

(3) The Minister must, on application, renew a Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N) certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for one of the following approved training courses:

- (i) supervision of an oil transfer operation, or
 - (ii) advanced training for oil tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a);
- (c) has assisted at least three oil transfer operations in waters north of 60° N; or
- (d) has acquired at least 24 months as a shore captain or marine superintendent in charge of supervising the loading, unloading or transferring of oil cargo, in waters north of 60° N.

Supervisor of a Chemical Transfer Operation

1070 (1) The Minister must, on application, issue a Supervisor of a Chemical Transfer Operation certificate of proficiency to a person if the person

- (a) holds a training certificate for an approved training course in STCW basic safety;
- (b) holds a training certificate for one of the following approved training courses:
 - (i) supervision of a chemical transfer operation, or
 - (ii) advanced training for chemical tanker cargo operations; and
- (c) has acquired, within the five years before the application date, at least three months of service on board a chemical tanker or other vessel carrying chemicals as cargo carrying out duties relating to chemical transfer operations.

Renewal

(2) The Minister must, on application, renew a Supervisor of Chemical Transfer Operation certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained training certificate for one of the following approved training courses:
 - (i) supervision of a chemical transfer operation, or
 - (ii) advanced training for chemical tanker cargo operations;
- (b) has been an instructor in Canada for the training referred to in paragraph (a);
- (c) has assisted in at least three chemical transfer operations on board a chemical tanker or other vessel carrying chemicals as cargo; or
- (d) has acquired at least 24 months as a shore captain or marine superintendent in charge of supervising the loading, unloading or transferring of chemical cargo.

Supervisor of a Liquefied Gas Transfer Operation

1071 (1) The Minister must, on application, issue a Supervisor of a Liquefied Gas Transfer Operation certificate of proficiency to a person if the person

- (a) holds training certificate for an approved training course in STCW basic safety;
- (b) holds training certificate for one of the following approved training courses:
 - (i) supervision of a liquefied gas transfer operation, or
 - (ii) advanced training for liquefied gas tanker cargo operations; and
- (c) has acquired, within the five years before the application date, at least three months of sea service on board a liquefied gas tanker or other vessel carrying liquefied gas as cargo carrying out duties relating to liquefied gas transfer operations.

Renewal

(2) The Minister must, on application, renew a Supervisor of a Liquefied Gas Transfer Operation certificate of proficiency of a person if, within the five years before the application date, the person

- (a) has obtained a training certificate for one of the following approved training courses:
 - (i) supervision of a liquefied gas transfer operation, or
 - (ii) advanced training for liquefied gas tanker cargo operations;
- (b) has been an instructor in Canada for a course referred to in paragraph (a);
- (c) has assisted in at least three liquefied gas transfer operations on board a liquefied gas tanker or other vessel carrying liquefied gas as cargo; or
- (d) has acquired at least 24 months of service as shore captain or marine superintendent in charge of supervising the loading, unloading or transferring of liquefied gas cargo.

Certificates of Proficiency for High Speed Craft and Air Cushion Vessels

High-Speed Craft Type Rating

1072 (1) The Minister must, on application, issue a High-Speed Craft Type Rating certificate of proficiency to a person if the person

- (a) holds one of the following certificates, valid for the craft and the route in respect of which the application is made:
 - (i) a certificate of competency issued under sections 1010 to 1030 (Masters and Mates), or
 - (ii) a certificate of competency issued under sections 1040 to 1045 (Engineer Officers); and

(b) demonstrates that they have the competencies set out in section 18.3.3 of the *HSC Code* for the certificate in respect of which the application is made in the manner set out in *TP 2293*.

Renewal

(2) The Minister must, on application, renew a High-Speed Craft Type Rating certificate of proficiency of a person if the person

(a) has acquired, as master, deck officer or engineer on board the high-speed craft or on board a sister vessel that travels on the same type of route as the route in respect of which the renewal is sought, at least,

- (i) six months of sea service within the 24 months before the application date, or
- (ii) two months of sea service within the 12 months before the application date; or

(b) demonstrates that they have the competencies set out in section 18.3.3 of the *HSC Code* for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Air Cushion Vessel Type Rating – Deck

1073 (1) The Minister must, on application, issue an Air Cushion Vessel Type Rating – Deck certificate of proficiency to a person if the person

(a) holds a certificate of competency issued under sections 1010 to 1030 valid for the air cushion vessel and the route in respect of which the application is made;

(b) holds a training testimonial evidencing successful completion of a training course for the person in command given by the manufacturer of the ACV in respect of which the certificate is sought or by an agent of the authorized representative of the ACV if that agent has been trained by the manufacturer;

(c) demonstrates that they have the competencies set out in section 18.3.3 of the *HSC Code* for the certificate in respect of which the application is made, in the manner set out in *TP 2293*;

(d) where the certificate sought will be valid on board an air cushion vessel only between sunrise and sunset, in good visibility and in non-icing conditions, the person has acquired the following hours of training in control of an air cushion vessel of the same type design as the air cushion vessel in respect of which the certificate is sought,

- (i) at least 25 hours, if the application is in respect of an air cushion vessel of 10 000 kg or less all up weight, or
- (ii) at least 100 hours, if the application is in respect of an air cushion vessel of more than 10 000 kg all up weight;

(e) where the certificate sought will be valid for use on board an air cushion vessel between sunset and sunrise and in limited visibility, the person has successfully completed the training required by paragraph (d) and at least 50 hours of radar pilotage; and

(f) where the certificate sought will be valid for use on board an air cushion vessel in icing conditions, the person has successfully completed the training required by paragraph (d) and at least 25 hours of training in control of an air cushion vessel of the same type design during icing conditions.

Renewal

(2) The Minister must, on application, renew an Air Cushion Vessel Type Rating – Deck certificate of proficiency of a person if the person

(a) has acquired, as master or deck officer on board the air cushion vessel to which the certificate relates or on a sister vessel travelling the same type of route as the route in respect of which the renewal is sought, at least,

(i) 25 hours of sea service in the 12 months before the application date, or

(ii) 100 hours of sea service within the 24 months before the application date; or

(b) demonstrates that they have the competencies set out in section 18.3.3 of the *HSC Code* for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Air Cushion Vessel Type Rating – Engine

1074 (1) The Minister must, on application, issue an Air Cushion Vessel Type Rating – Engine certificate of proficiency to a person if the person

(a) holds one of the following certificates of competency:

(i) Air Cushion Vessel Engineer Class I, or

(ii) Air Cushion Vessel Engineer Class II;

(b) holds a training testimonial evidencing successful completion of a familiarization training course for engineer officers given by the manufacturer of the ACV to which the certificate of competency relates or by an agent of the authorized representative of the ACV if that agent has been trained by the manufacturer;

(c) has acquired service as an assistant engineer carrying out the maintenance required in respect of at least the following number of operating hours:

(i) in the case of an ACV of 2 500 kW or more total propulsive and lift power, 100 hours, or

(ii) in the case of an ACV of at least 750 kW total propulsive and lift power and less than 2 500 total propulsive and lift power, 25 hours; and

(d) demonstrates that they have the competencies for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Renewal

- (2) The Minister must, on application, renew an Air Cushion Vessel Type Rating – Engine certificate of proficiency of a person if the person
- (a) has documentary evidence for the following service as an engineer on an ACV of the same type of ACV in respect of which the certificate is sought:
 - (i) the maintenance required in respect of at least 100 operating hours within the 24 months before the application date for renewal, or
 - (ii) the maintenance required in respect of at least 25 operating hours in the 12 months before the application date for renewal; or
 - (b) demonstrates that they have the competencies for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Air Cushion Vessel Engineer Class I

1075 The Minister must, on application, issue an Air Cushion Vessel Engineer Class I certificate of proficiency to a person if the person

- (a) holds one of the following documents:
 - (i) a certificate of competency issued under sections 1040 to 1045,
 - (ii) an Aircraft Maintenance Engineer Licence issued under the *Aeronautics Act*, or
 - (iii) an Air Cushion Vessel Engineer Class II certificate of proficiency, if the applicant has acquired at least 24 months of service related to the maintenance of ACVs while holding that certificate;
- (b) holds a training certificate for an approved training course in domestic vessel safety;
- (c) holds a training certificate for an approved training course in marine basic first aid, or a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of a two-day first aid course;
- (d) holds a training testimonial with respect to a training course for engineers on the maintenance and verification of an air cushion vessel provided by a manufacturer of an ACV or by an agent of the authorized representative of an ACV if the agent has been trained by the manufacturer;
- (e) demonstrates that they have the competencies for the certificate in respect of which the application is made, in the manner set out in *TP 2293*; and
- (f) after obtaining a document in paragraph (a), has acquired, in respect of an air cushion vessel, whichever of the following periods of service is the longest:
 - (i) at least 12 months carrying out functions related to the maintenance and verification of the vessel, or

- (ii) carrying out functions related to the maintenance and verification of the vessel for the duration of one complete maintenance and verification cycle as recommended by the manufacturer.

Air Cushion Vessel Engineer Class II

1076 The Minister must, on application, issue an Air Cushion Vessel Engineer Class II certificate of proficiency to a person if the person

- (a) holds one of the following documents:
 - (i) a certificate of competency issued under sections 1040 to 1045,
 - (ii) an Aircraft Maintenance Engineer Licence issued under the *Aeronautics Act*, or
 - (iii) a diesel mechanic trade qualification certificate recognized by a province,
- (b) holds
 - (i) a training certificate for an approved training course in marine basic first aid, or a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of a two-day first aid course, or
 - (ii) a training certificate for an approved MED training course in domestic vessel safety;
- (c) holds a training testimonial with respect to a training course for engineers on the maintenance and verification of an air cushion vessel provided by a manufacturer of an ACV or by an agent of the authorized representative of an ACV if the agent has been trained by the manufacturer;
- (d) after obtaining a document in paragraph (a), has acquired, in respect of an air cushion vessel, whichever of the following periods of service is the longest:
 - (i) 12 months of service, or
 - (ii) carrying out functions related to the maintenance and verification of the vessel for the duration of one complete maintenance and verification cycle as recommended by the manufacturer; and
- (e) demonstrates that they have the competencies for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Renewal – Air Cushion Vessel Engineer Classes I and II

1077 The Minister must, on application, renew an Air Cushion Vessel Engineer Class I certificate of proficiency or an Air Cushion Vessel Engineer Class II certificate of proficiency, if the person

- (a) has acquired at least 2080 hours of service, within the five years before the application date, carrying out functions related to the maintenance and verification of an air cushion vessel of a total propulsive and lift power of at least 750 kW;
- (b) has acquired at least 510 hours of service, in the 12 months before the application date for renewal of the certificate, carrying out functions related to the maintenance and verification of an air cushion vessel of a total propulsive and lift power of at least 750 kW; or
- (c) demonstrates that they have the competencies for the certificate in respect of which the application is made, in the manner set out in *TP 2293*.

Certificates of Proficiency for Masters and Officers on Vessels Operating in Polar Waters

Basic Training for Personnel on Ships operating in Polar Waters

1078 (1) The Minister must, on application, issue a Basic Training for Personnel on Ships Operating in Polar Waters certificate of proficiency to a person if the person demonstrates to the Minister that they have the competencies, knowledge, understanding and proficiencies set out in table A-V/4-1 of the *STCW Code*, in the manner set out in *TP 2293*.

Renewal

- (2) The Minister must, on application, renew a Basic Training for Personnel on Ships Operating in Polar Waters certificate of proficiency of a person if the person
 - (a) has obtained a training certificate for an approved training course in basic training for personnel on ships operating in polar waters;
 - (b) has been an instructor in Canada for the training referred to in paragraph (a);
 - (c) has acquired, within the five years before the application date, at least two months of sea service while serving as a deck officer at the operational level, on board a vessel operating in polar waters or waters with equivalent ice conditions as specified in *TP 2293*; or
 - (d) has passed an examination on general knowledge of vessels operating in polar waters.

Advanced Training for Personnel on Ships Operating in Polar Waters

1079 (1) The Minister must, on application, issue an Advanced Training for Personnel on Ships Operating in Polar Waters certificate of proficiency to a person if the person

- (a) holds a Basic Training for Personnel on Ships Operating in Polar Waters certificate of proficiency;
- (b) demonstrates to the Minister that they have the competencies, knowledge, understanding and proficiencies set out in table A-V/4-2 of the *STCW Code* for the certificate in respect of which the application is made, in the manner set out in *TP 2293*; and

(c) after obtaining the certificate referred to in paragraph (a), has acquired, within the five years before the application date, at least two months of sea service while serving as a deck officer or an ice navigator on board a vessel operating in polar waters or waters with equivalent ice conditions as specified in *TP 2293*.

Renewal

(2) The Minister must, on application, renew an Advanced Training for Personnel on Ships Operating in Polar Waters certificate of proficiency of a person if the person

(a) has obtained a training certificate for an approved training course in personnel on ships operating in polar waters;

(b) has been an instructor in Canada for the training referred to in paragraph (a);

(c) has acquired, within the five years before the application date, at least two months of sea service while serving as a deck officer at the operational level or as an ice navigator, on board a vessel operating in polar waters or waters with equivalent ice conditions as specified in *TP 2293*; or

(d) has passed an examination on general knowledge of vessels operating in polar waters.

Certificates of Proficiency for Security

Ship Security Officer

1080 The Minister must, on application, issue a Ship Security Officer certificate of proficiency to a person if the person

(a) holds a medical certificate issued under Part 2;

(b) has obtained a training certificate for a ship security officer approved training course; and

(c) has acquired at least 12 months of sea service.

Ship Personnel With Designated Security Duties

1081 The Minister must, on application, issue a Ship Personnel With Designated Security Duties certificate of proficiency to a person if the person

(a) is at least 16 years of age on the day on which the certificate is issued;

(b) holds a medical certificate issued under Part 2; and

(c) has obtained a training certificate for an approved training course in ship personnel with designated security duties.

Ship Personnel Without Designated Security Duties

1082 The Minister must, on application, issue a Ship Personnel Without Designated Security Duties certificate of proficiency to a person if the person

- (a) is at least 16 years of age on the day on which the certificate is issued;
- (b) holds a medical certificate issued under Part 2; and
- (c) has obtained a training certificate for an approved training course in ship personnel without designated security duties.

Certificate of Proficiency for Passenger Submersible Craft

Passenger Submersible Craft

1083 (1) The Minister must, on application, issue a Passenger Submersible Craft certificate of proficiency to a person if the person

- (a) holds one of the following certificates, valid for the craft and the route in respect of which the application is made:
 - (i) a certificate of competency issued under sections 1010 to 1030 (Masters and Mates), or
 - (ii) a certificate of competency issued under sections 1040 to 1045 (Engineer Officers); and
- (b) holds a commercial diver certificate recognized by a province;
- (c) holds a training certificate for an approved training course in marine basic first aid, or a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of, at a minimum, a two-day first aid course; and
- (d) holds a certificate establishing that they have successfully completed a course on operations and safety measures applicable to the submersible craft in respect of which the application is made, that is provided by the manufacturer of the craft or an agent or mandatary of the authorized representative of the craft, if the agent or mandatary has been trained by the manufacturer.

Renewal

(2) The Minister must, on application, renew a Passenger Submersible Craft certificate of proficiency of a person if the person

- (a) holds one of the following certificates, valid for the craft and the route in respect of which the application is made:
 - (i) a certificate of competency issued under sections 1010 to 1030 (Masters and Mates), or
 - (ii) a certificate of competency issued under sections 1040 to 1045 (Engineer Officers); and
- (b) holds a commercial diver certificate recognized by a province.

DIVISION 6

Certificates of Competency for Mobile Offshore Units

Qualifications

1084 (1) A person who applies for a certificate of competency referred to in sections 1086 to 1095 must possess the qualifications indicated by an “X” in the table to this subsection in relation to that certificate.

Table of Qualifications for Certificates of Competency – Mobile Offshore Unit

| Qualifications | Certificates of Competency | | | | | | | | |
|---|---|--|--|------------------------------|---------------------------|-------------------------------------|--------------------------|------------------------------------|---|
| | Offshore Installation Manager MOU/Surface | Offshore Installation Manager MOU/FPSO | Offshore Installation Manager MOU/Self-elevating | Barge Supervisor MOU/Surface | Barge Supervisor MOU/FPSO | Barge Supervisor MOU/Self-elevating | Ballast Control Operator | Maintenance Supervisor MOU/Surface | Maintenance Supervisor MOU/Self-elevating |
| Basic Offshore Survival | X | X | X | X | X | X | X | X | X |
| Hydrogen Sulfide Safety | X | X | X | X | X | X | X | X | X |
| Command and Control of Major Emergencies | X | X | X | X | X | X | | X | X |
| Stability – Introduction | X | X | X | X | X | X | X | | |
| Stability – Surface and Column Stabilized MOU | X | X | | X | X | | X | | |
| Stability – Self-Elevating MOU | | | X | | | X | | | |
| Supervisor Well Control | X | | X | X | | X | | | |
| Well Control – Production | | X | | | X | | | | |
| Meteorology | X | X | X | X | X | X | | | |
| Navigation Safety Level 1 | X | X | X | X | X | X | | | |
| Seamanship of MOU | X | X | X | X | X | X | | | |

| Qualifications | Certificates of Competency | | | | | | | | |
|-----------------------------------|---|--|--|------------------------------|---------------------------|-------------------------------------|--------------------------|------------------------------------|---|
| | Offshore Installation Manager MOU/Surface | Offshore Installation Manager MOU/FPSO | Offshore Installation Manager MOU/Self-elevating | Barge Supervisor MOU/Surface | Barge Supervisor MOU/FPSO | Barge Supervisor MOU/Self-elevating | Ballast Control Operator | Maintenance Supervisor MOU/Surface | Maintenance Supervisor MOU/Self-elevating |
| Auxiliary Machinery and Systems | | | | | | | | X | X |
| Motor Propulsion Systems | | | | | | | | X | X |
| Electro-technology and Automation | | | | | | | | X | X |

Manner of determination

(2) The Minister must determine that a person possesses a qualification required under subsection (1) if the person demonstrates that they have the competencies, knowledge, understanding and proficiencies set out in the chapter of *TP 2293* applicable to that qualification, using one of the following methods or any combination of them that *TP 2293* specifies:

- (a) the person holds a training certificate;
- (b) the person passes an examination administered by the Minister; or
- (c) the person has experience as evidenced by documentary evidence.

Certificate of proficiency – substitution

1085 For the purposes of this Division, where a certificate of proficiency set out in Column 1 of the table to this section must be held to obtain a certificate of competency, the corresponding document set out in Column 2 may be substituted for that certificate of proficiency.

Table of Substitution for Certificates of Proficiency

| Item | Column 1 | Column 2 |
|------|--|--|
| | Certificate of Proficiency | Acceptable substitution |
| 1 | Survival Craft and Rescue Boats Other Than Fast Rescue Boats | An equivalent certificate referred to in subsection 3109(2) |
| 2 | Advanced Fire Fighting | An equivalent certificate referred to in subsection 3109*(2) |
| 3 | Marine Advanced First Aid | An equivalent certificate referred to in subsection 3109(2) |
| 4 | STCW Basic Safety | A document referred to in paragraph 3112(1)(c) |

Offshore Installation Manager MOU/Surface

1086 The Minister must, on application, issue an Offshore Installation Manager MOU/Surface certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) provides documentary evidence of sea service for the following tasks and experience:
 - (i) at least 42 months of sea service on board an MOU, including
 - (A) at least nine months in one or more of the senior department head positions reporting directly to the Offshore Installation Manager specified in *TP 2293*;
 - (B) any remaining time in one or more of the technical positions specified in *TP 2293*;
 - (C) assisting in at least 20 cargo operations at sea between an MOU and a supply vessel;
 - (D) assisting in at least four complete relocation moves of an MOU/surface; and
 - (E) assisting in at least 20 helicopter landings on, and departures from, an MOU; and
- (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid.

Offshore Installation Manager, MOU/FPSO

1087 The Minister must, on application, issue an Offshore Installation Manager, MOU/FPSO certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) provides documentary evidence of sea service for the following tasks and experience:
 - (i) at least 42 months of sea service on board an MOU, including
 - (A) at least nine months in the senior department head position reporting directly to the Offshore Installation Manager specified in *TP 2293*;
 - (B) any remaining time in a technical position specified in *TP 2293*;
 - (C) assisting in at least 20 cargo operations at sea between an MOU and a supply vessel;
 - (D) participating in at least four emergency disconnection exercises;
 - (E) assisting in at least 20 helicopter landings on, and departures from, an MOU; and
- (b) holds the following certificates of proficiency:

- (i) STCW Basic Safety,
- (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
- (iii) Advanced Fire Fighting, and
- (iv) Marine Advanced First Aid.

Offshore Installation Manager, MOU/Self-Elevating

1088 The Minister must, on application, issue an Offshore Installation Manager, MOU/Self-Elevating certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) provides documentary evidence of sea service for the following tasks and experience:
 - (i) at least 42 months of sea service on board an MOU, including
 - (A) at least nine months in one or more of the senior department head positions reporting directly to the Offshore Installation Manager specified in *TP 2293*,
 - (B) any remaining time in one or more of the technical positions specified in *TP 2293*,
 - (C) assisting in at least 20 cargo operations at sea between an MOU and a supply vessel,
 - (D) assisting in at least four complete relocation moves of an MOU/Self-Elevating, and
 - (E) assisting in at least 20 helicopter landings on, and departures from, an MOU; and
 - (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid.

Barge Supervisor MOU/Surface

1089 The Minister must, on application, issue a Barge Supervisor MOU/Surface certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) holds one of the following certificates:
 - (i) Master Mariner, or
 - (ii) Master, Near Coastal;
- (b) provides documentary evidence of sea service for the following tasks and experience:

- (i) at least 12 months of sea service on board an MOU, including
 - (A) at least six months as a watchkeeping mate holding a Master Mariner or a Master Near Coastal certificate of competency;
 - (B) any remaining time as a watchkeeping mate holding a Watchkeeping Mate, Master Mariner or a Master Near Coastal certificate of competency;
 - (C) assisting in at least 10 cargo operations at sea between an MOU and a supply vessel;
 - (D) participating in at least two complete relocation moves of an MOU/surface;
 - (E) assisting in at least 10 helicopter landings on, and departures from, an MOU, and
- (c) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid.

Barge Supervisor MOU/FPSO

1090 The Minister must, on application, issue a Barge Supervisor MOU/FPSO certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) holds one of the following certificates:
 - (i) Master Mariner, or
 - (ii) Master, Near Coastal; and
- (b) provides documentary evidence of sea service for the following tasks and experience:
 - (i) at least 12 months of sea service on board an MOU, including
 - (A) at least six months as a watchkeeping mate holding a Master Mariner or a Master Near Coastal certificate of competency;
 - (B) any remaining time as a watchkeeping mate holding a Watchkeeping Mate, Master Mariner or a Master Near Coastal certificate of competency;
 - (C) assisting in at least 10 cargo operations at sea between an MOU and a supply vessel;
 - (D) participating in at least four emergency disconnection exercises;
 - (E) assisting in at least 10 helicopter landings on, and departures from, an MOU, and

- (e) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid.

Barge Supervisor, MOU/Self-Elevating

1091 The Minister must, on application, issue a Barge Supervisor MOU/Self-Elevating certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) provides documentary evidence of sea service for the following tasks and experience:
 - (i) at least 12 months of sea service on board an MOU, including
 - (A) at least six months in one or more of the deputy department head positions reporting directly to the Offshore Installation Manager specified in *TP 2293*,
 - (B) any remaining time in one or more of the technical positions specified in *TP 2293*,
 - (C) assisting in at least 10 cargo operations at sea between an MOU and a supply vessel,
 - (D) participating in at least two complete relocation moves of an MOU/Self-Elevating,
 - (E) assisting in at least 10 helicopter landings on, and departures from, an MOU; and
- (b) holds the following certificates of proficiency:
 - (i) STCW Basic Safety,
 - (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
 - (iii) Advanced Fire Fighting, and
 - (iv) Marine Advanced First Aid.

Maintenance Supervisor, MOU/Surface

1092 The Minister must, on application, issue a Maintenance Supervisor, MOU/Surface certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

- (a) holds one of the following certificates:
 - (i) Chief Engineer, or
 - (ii) Second Engineer; and

(b) provides documentary evidence of at least 18 months of sea service in an engineering function on board an MOU/surface, of which at least nine months were served as a watchkeeping engineer, rig mechanic, electrical technician or instrumentation technician, and

(c) holds the following certificates of proficiency:

- (i) STCW Basic Safety,
- (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
- (iii) Advanced Fire Fighting, and
- (iv) Marine Advanced First Aid.

Maintenance Supervisor, MOU/Self-Elevating

1093 The Minister must, on application, issue a Maintenance Supervisor, MOU/Self-Elevating certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person

(a) provides documentary evidence of the following sea service in an engineering function on board an MOU/self-elevating:

- (i) at least 12 months after having obtained an Officer in Charge of an Engineering Watch certificate of competency,
- (ii) if the applicant holds one of the following certificates, at least 24 months after obtaining that certificate:
 - (A) a certificate issued by a technical college recognized by a province based on an accredited two-year course in the electrical, instrumentation or mechanical trades, or
 - (B) a Canadian inter-provincial journey person's certificate in the electrical, instrumentation or mechanical trades; and

(b) holds the following certificates of proficiency:

- (i) STCW Basic Safety,
- (ii) Survival Craft and Rescue Boats Other Than Fast Rescue Boats,
- (iii) Advanced Fire Fighting, and
- (iv) Marine Advanced First Aid.

Ballast Control Operator

1094 The Minister must, on application, issue a Ballast Control Operator certificate of competency to a person if, in addition to possessing the qualifications required by subsection 1084(1) for that certificate, the person provides documentary evidence of at least six months of sea service on board an MOU in the position of Ballast Control Operator Trainee.

DIVISION 7**National Defence and Coast Guard****National Defence and Coast Guard**

1095 The Minister must, on application by a person who holds a document listed below, issue to that person a certificate of competency or certificate of proficiency if the Minister is satisfied that the person meets the standards of competency applicable under these Regulations to that certificate:

- (a) a certificate issued by the Department of National Defence; or
- (b) one of the following certificates issued by the Canadian Coast Guard:
 - (i) Command,
 - (ii) Watchkeeping, or
 - (iii) Electrical Officer.

DIVISION 8**Transitional Period****Deck certificates of competency**

1096 (1) A person who has started to acquire qualifying service for a certificate that is listed in column 1 of the table to this subsection, and who has passed at least one examination required to obtain that certificate under the *Marine Personnel Regulations* SOR/2007-115 and the *Ship Safety Bulletin 09/2017* before the day that this section comes into force may, after complying with the requirements for the delivery of that certificate under those Regulations and that Bulletin as they read immediately before that day, obtain the corresponding certificate set out in column 2.

Table of equivalent deck certificates of competency

| Item | Column 1 | Column 2 |
|------|--|---|
| | Former certificate of competency | Corresponding certificate of competency under this Part |
| 1 | Master Mariner | Master Mariner |
| 2 | Master, Near Coastal | Master, Near Coastal |
| 3 | Master 3 000 Gross Tonnage, Near Coastal | Master 3 000 Gross Tonnage, Near Coastal |
| 4 | Master 500 Gross Tonnage, Near Coastal | Master 500 Gross Tonnage, Near Coastal |
| 5 | Master 3 000 Gross Tonnage, Domestic | Master 3 000 Gross Tonnage, Domestic |

| Item | Column 1 | Column 2 |
|------|--|---|
| | Former certificate of competency | Corresponding certificate of competency under this Part |
| 6 | Master 500 Gross Tonnage, Domestic | Master 500 Gross Tonnage, Domestic |
| 7 | Master 150 Gross Tonnage, Domestic | Master for a Vessel of Less Than 24 Metres in Length, Domestic |
| 8 | Master, Limited for a Vessel of 60 Gross Tonnage or More | Master Limited for a Vessel of 18 Metres in Length or More |
| 9 | Master, Limited for a Vessel of Less Than 60 Gross Tonnage | Master, Limited for a Vessel of Less Than 18 Metres in Length |
| 10 | Chief Mate | Chief Mate |
| 11 | Chief Mate, Near Coastal | Chief Mate, Near Coastal |
| 12 | Watchkeeping Mate | Watchkeeping Mate |
| 13 | Watchkeeping Mate, Near Coastal | Watchkeeping Mate, Near Coastal |
| 14 | Chief Mate 500 Gross Tonnage, Domestic | Chief Mate 500 Gross Tonnage, Domestic |
| 15 | Chief Mate 150 Gross Tonnage, Domestic | Chief Mate for a Vessel of Less Than 24 Metres in Length, Domestic |
| 16 | Chief Mate, Limited for a Vessel of 60 Gross Tonnage or More | Chief Mate, Limited for a Vessel of 18 Metres in Length or More |
| 17 | Chief Mate, Limited for a Vessel of Less Than 60 Gross Tonnage | Chief Mate, Limited for a Vessel of Less Than 18 Metres in Length |
| 18 | Fishing Master, First Class | Fishing Master, Unlimited Waters |
| 19 | Fishing Master, Second Class | Fishing Master, Limited Waters |
| 20 | Fishing Master, Third Class | Fishing Master, Limited Waters Fishing Officer, Unlimited Waters |
| 21 | Fishing Master, Fourth Class | Fishing Master, 24 Metres, Limited Waters |

Engineering certificates of competency

(2) A person who has started to acquire qualifying service for a certificate listed in column 1 of the table to this subsection, and who has passed at least one examination required to obtain that certificate under the *Marine Personnel Regulations* SOR/2007-115 and the *Ship Safety Bulletin 09/2017* before the day that this section comes into force may, after complying with the requirements for the delivery of that certificate under those Regulations and that Bulletin as they read immediately before that day, obtain the corresponding certificate set out in column 2.

Table of corresponding engineering certificates of competency

| Item | Column 1 | Column 2 |
|------|----------------------------------|---|
| | Former certificate of competency | Corresponding certificate of competency under this Part |
| 1 | First-Class Engineer, Motor Ship | Chief Engineer (STCW) ¹ |
| 2 | First-Class Engineer, Steam Ship | Chief Engineer (STCW) ¹ |

| Item | Column 1 | Column 2 |
|------|---|---|
| | Former certificate of competency | Corresponding certificate of competency under this Part |
| 3 | Second-Class Engineer, Motor Ship | Second Engineer (STCW) ¹ |
| 4 | Second-Class Engineer, Steam Ship | Second Engineer (STCW) ¹ |
| 5 | Third-Class Engineer, Motor Ship (III/3) | Engineer in Charge of the Watch ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 6 | Third-Class Engineer, Steam Ship (III/3) | Engineer in Charge of the Watch ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 7 | Fourth-Class Engineer, Motor Ship (III/1) | Engineer in Charge of the Watch (STCW) ¹ |
| 8 | Fourth-Class Engineer, Steam Ship (III/1) | Engineer in Charge of the Watch (STCW) ¹ |

Note 1: Valid only for vessels equipped with the type of propulsion system to which the application relates, but not valid for any vessel with electrical power systems of 1 000 volts and more.

Time limitation

(3) This Division expires 5 years after the day on which it comes into force.

DIVISION 9

Exchanges and Renewals

Validity of former certificates or former endorsements

1097 For the purposes of this Division, the holder of a former certificate of competency or a former endorsement that was issued before the day on which this section comes into force may, on or before the date of expiry of that certificate or endorsement, on application, exchange that former certificate or former endorsement for one of the corresponding certificates or endorsements set out in sections 1098 to 1100 for which the requirements are met, as the case may be.

Exchanges of Former Certificates and Former Endorsements

Exchange – former deck certificates

1098 (1) The Minister must, on application by a holder of a former certificate that is set out in column 1 of the table to this subsection, exchange that certificate for the corresponding certificate set out in column 2 issued under this Part having, where applicable, the endorsement and limitation indicated, if the holder

(a) holds a medical certificate issued under Part 2 if that certificate is required to obtain the certificate of competency applied for under this Part;

(b) holds a radio operator certificate that is required for the certificate of competency to be issued under this Part; and

(c) demonstrates that they have continued professional competence by complying with the following requirements:

(i) for items 1 to 15(a) of the table, by complying with the requirements of section 1101 that are applicable to a renewal of the corresponding certificate of competency set out in column 2 that is issued under this Part, if any exists;

(ii) for item 15(b) of the table, by holding training certificates for the following approved training courses:

(A) ship construction and stability, Level 1, and

(B) SEN – Domestic;

(iii) for item 16(a) of the table, by complying with the following requirements:

(A) holds a training certificate for an approved training course in SEN – Fishing or an approved training course in SEN – Domestic, and:

(B) holds a training certificate for one of the following approved MED training courses that have been obtained within the five years before the application date:

(I) proficiency in survival craft rescue boats other than fast rescue boats, and

(II) advanced fire fighting; and

(iv) for items 16(b) and 17, holds a training certificate for an approved MED training course in domestic vessel safety.

Table of exchange for former deck certificates

| Item | Column 1 | Column 2 |
|----------------|---|---|
| | Former certificate | Corresponding certificate(s) of competency under this Part |
| 1 | Master, Intermediate Voyage | Master, Near Coastal Chief Mate |
| 2 | Master, Local Voyage | Master, Near Coastal |
| 3 ¹ | Master, Ship of not More Than 350 Tons, Gross Tonnage, or Tug, Local Voyage | Master 500 Gross Tonnage, Near Coastal Chief Mate, Vessel of up to 3 000 Gross Tonnage |
| 4 | First Mate, Intermediate Voyage | Chief Mate, Near Coastal Watchkeeping Mate |
| 5 | First Mate, Local Voyage | Chief Mate, Near Coastal |

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| Item | Column 1 | Column 2 |
|--------------------|---|--|
| | Former certificate | Corresponding certificate(s) of competency under this Part |
| 6 | Watchkeeping Mate, Ship | Watchkeeping Mate |
| 7 | Restricted Watchkeeping Mate, Ship | Watchkeeping Mate, Near Coastal |
| 8 ² | Master, Limited for a Vessel of 60 Gross Tonnage or More | Master, Limited for a Vessel of 18 Metres in Length or More |
| 9 ² | Master, Limited for a Vessel of 60 Gross Tonnage or Less | Master, Limited for a Vessel of 18 Metres in Length or Less |
| 10 ² | Chief Mate, Limited for a Vessel of 60 Gross Tonnage or More | Chief Mate, Limited for a Vessel of 18 Metres in Length or More |
| 11 ² | Chief Mate, Limited for a Vessel of 60 Gross Tonnage or Less | Chief Mate, Limited for a Vessel of 18 Metres in Length or Less |
| 12 | Fishing Master, First Class (issued from March 21, 1980 and before July 1, 2007) Fishing Master, First Class (issued from July 1, 2007) | Fishing Master, Unlimited Waters |
| 13 | Fishing Master, Second Class (issued from March 21, 1980 and before July 1, 2007) Fishing Master, Second Class (issued from July 1, 2007) | Fishing Master, Limited Waters Fishing Officer, Unlimited Waters |
| 14 | Fishing Master, Third Class (issued from March 21, 1980 and before July 1, 2007) Fishing Master, Third Class (issued from July 1, 2007) | Fishing Master, Limited Waters Fishing Officer, Unlimited Waters |
| 15(a) ² | Fishing Master, Fourth Class (issued from March 21, 1980 and before July 1, 2007) Fishing Master, Fourth Class (issued as from July 1, 2007) | Fishing Master, Fourth Class |
| 15(b) ² | Fishing Master, Fourth Class (issued from March 21, 1980 and before July 1, 2007) Fishing Master, Fourth Class (issued as from July 1, 2007) | Fishing Master, 24 Metres, Limited Waters |
| 16(a) | Fishing Master (issued before March 21, 1980) Fishing Master Restricted (issued before March 21, 1980) | Fishing Master, Limited Waters Fishing Officer, Unlimited Waters |
| 16(b) | Fishing Master (issued before March 21, 1980), or Fishing Master Restricted (issued before March 21, 1980) | Fishing Master, 24 Metres, Limited Waters |
| 17 | Fishing Mate or Watchkeeping Mate Fishing (issued before March 21, 1980) | Fishing Master, 14 Metres, Limited Waters Watchkeeping Mate, Less Than 24 Metres ³ |
| 18 | Watchkeeping Mate of a Fishing Vessel of Less Than 24 Metres in Length Overall | Fishing Master, 14 Metres, Limited Waters Watchkeeping Mate, Less Than 24 Metres ³ |
| 19 | Able Seamen or Able Seafarer | Able Seafarer Deck |

Note 1: In respect of a tug, a non-STCW endorsement limited to a tug of up to 3 000 gross tonnage that is engaged on a limited, contiguous waters voyage.

Note 2: Exchange will be valid for the same area of operation that was specified on the former certificate.

Note 3: Exchange will be limited to a vessels of less than 24 m in registered length that are engaged on a limited waters voyage.

Exchange of former certificates or former endorsements not listed in the table to subsection (1)

(2) The Minister must, on application by a holder of a former certificate or a former endorsement that is not set out in column 1 of the table to subsection (1), exchange that former certificate or former endorsement for a new certificate or new endorsement under this Part, after having completed the following measures:

- (a) the Minister must reimpose a limitation on a former certificate on the new certificate that the holder is seeking to receive in exchange;
- (b) the Minister must evaluate the application by comparing the competencies, knowledge, understanding and proficiencies required to obtain the former certificate or the former endorsement with the competencies, knowledge, understanding and proficiencies required under these Regulations to obtain the new certificate or new endorsement the holder is seeking to receive in exchange; and
- (c) if the Minister determines it is necessary, impose any additional requirements with respect to the competencies, knowledge, understanding and proficiencies of the holder, as the case may be, in order to proceed with that exchange.

Exchange – former tanker certificates or former tanker endorsements

1099 (1) The Minister must, on application by a holder of a former certificate or a former endorsement that is set out in column 1 of the table to this subsection, exchange that certificate or endorsement for the corresponding certificate of proficiency set out in column 2 issued under this Part, if the holder meets the renewal requirements, if any exist, for the corresponding certificate of proficiency.

Table of exchange for former tanker certificates or former endorsements

| Item | Column 1 | Column 2 |
|------|--|---|
| | Former certificate or former endorsement | Corresponding certificate of proficiency under this Part |
| 1 | Proficiency in Oil Tankers, Proficiency in chemical tankers or Oil and Chemical tanker familiarization certificate or endorsement (issued to a rating) | Basic Training for Oil and Chemical Tanker Cargo Operations – Rating |
| 2 | Proficiency in liquefied gas tankers or Liquefied gas tanker familiarization certificate or endorsement (issued to a rating) | Basic Liquefied Gas Tanker Cargo Operations – Rating |
| 3 | Oil and Chemical Tanker, Familiarization Endorsement (issued to an officer) | Basic Training for Oil and Chemical Tanker Cargo Operations – Officer |

| Item | Column 1 | Column 2 |
|------|---|---|
| | Former certificate or former endorsement | Corresponding certificate of proficiency under this Part |
| 4 | Liquefied Gas Tanker, Familiarization Endorsement (issued to an officer) | Basic Liquefied Gas Tanker Cargo Operations – Officer |
| 5 | Specialized Oil Tanker, Training Endorsement | Advanced training for Oil Tanker Cargo Operations |
| 6 | Specialized Chemical Tanker, Training Endorsement | Advanced training for Chemical Tanker Cargo Operations |
| 7 | Specialized Liquefied Gas Tanker, Training Endorsement | Advanced training for Liquefied Gas Tanker Cargo Operations |
| 8 | Supervisor of an Oil Transfer Operation certificate | Supervisor of an Oil Transfer Operation |
| 9 | Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N) certificate | Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N) |
| 10 | Supervisor of a Chemical Transfer Operation certificate | Supervisor of a Chemical Transfer Operation |
| 11 | Supervisor of a Liquefied Gas Transfer Operation certificate | Supervisor of a Liquefied Gas Transfer Operation |

Exchange of former certificates or former endorsements not listed in the table to subsection (1)

(2) The Minister must, on application by a holder of a former certificate or a former endorsement that is not set out in column 1 of the table to subsection (1), exchange that former certificate or former endorsement for a new certificate under this Part, after having completed the following measures:

- (a) the Minister must evaluate the application by comparing the competencies, knowledge, understanding and proficiencies required to obtain the former certificate or the former endorsement with the competencies, knowledge, understanding and proficiencies required under these Regulations to obtain the new certificate the holder is seeking to receive in exchange, and
- (b) if the Minister determines it is necessary, impose any additional requirements with respect to the competencies, knowledge, understanding and proficiencies of the holder, as the case may be, in order to proceed with that exchange.

Exchange – former engineering certificates or former engineering endorsements

1100 (1) The Minister must, on application by a holder of a former certificate or a former endorsement that is set out in column 1 of the table to this subsection, exchange that certificate or that endorsement for the corresponding certificate set out in column 3 issued under this Part having, where applicable, the endorsement and limitation indicated on the certificate in column 1, if the holder

- (a) holds a medical certificate issued under Part 2 if that certificate is required to obtain the certificate of competency applied for under this Part;

(b) for items 1 to 10 and 13 to 19 of the table, demonstrates that they have continued professional competence by complying with the requirements of section 1102 that are applicable to a renewal of the corresponding certificate of competency set out in column 3 that is issued under this Part, if any exists; and

(c) for items 11 and 12 of the table, in addition to the requirements of paragraph (b), demonstrates that they have continued professional competence by complying with the following requirements:

(i) completion of the training record book,

(ii) possesses the following qualifications at a level appropriate for the certificate applied for, if applicable:

(A) applied mathematics,

(B) applied engineering,

(C) thermodynamics,

(D) electro-technology,

(E) naval architecture,

(F) material sciences,

(G) applied chemistry for marine engineers,

(H) technical drawing,

(I) practical skills,

(J) leadership and teamwork skill, and

(K) maritime law and ship business; and

(iii) has passed the following exams:

(A) a written examination administered by the Minister on general engineering knowledge of vessels, and

(B) an oral examination administered by the Minister on the functions listed in table A-III/1 of the *STCW Code* and appropriate to the type of propulsion system to which the application relates and to the rank sought.

Table of exchange for former engineering certificates or former engineering endorsements

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| Item | Column 1 | Column 2 | Column 3 |
|------|---|---|--|
| | Former certificate or former endorsement | Certificate required under former MPR | Corresponding certificate(s) of competency under this Part |
| 1 | First-Class Engineer, Motor Ship | N/A | Chief Engineer (STCW) ¹ |
| 2 | First-Class Engineer, Steam Ship | N/A | Chief Engineer (STCW) ¹ |
| 3 | Second-Class Engineer, Motor Ship | N/A | Second Engineer (STCW) ¹ |
| 4 | Second-Class Engineer, Steam Ship | N/A | Second Engineer (STCW) ¹ |
| 5 | Third-Class Engineer, Motor Ship (III/3) | N/A | Engineer in Charge of the Watch ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 6 | Third-Class Engineer, Steam Ship (III/3) | N/A | Engineer in Charge of the Watch ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 7 | Third-Class Engineer, Motor Ship (III/1) ² | N/A | Engineer in charge of the watch (STCW) ¹ |
| 8 | Third-Class Engineer, Steam Ship (III/1) ² | N/A | Engineer in Charge of the Watch (STCW) ¹ |
| 9 | Fourth-Class Engineer, Motor Ship (III/1) | N/A | Engineer in Charge of the Watch (STCW) ¹ |
| 10 | Fourth-Class Engineer, Steam Ship (III/1) | N/A | Engineer in Charge of the Watch (STCW) ¹ |
| 11 | Fourth-Class Engineer, Motor Ship ² | N/A | Engineer in Charge of the Watch (STCW) ¹ |
| 12 | Fourth-Class Engineer, Steam Ship ² | N/A | Engineer in Charge of the Watch (STCW) ¹ |
| 13 | Fourth-Class Engineer, Motor Ship ² | N/A | Engineer in Charge of the Watch ^{1,3} |
| 14 | Fourth-Class Engineer, Steam Ship ² | N/A | Engineer in Charge of the Watch ^{1,3} |
| 15 | Watchkeeping Engineer, Motor-Driven Fishing Vessel | N/A | Engineer in Charge of the Watch ^{1,4} |
| 16 | Chief Engineer, endorsement, Motor vessel of up to 2 000 kW, other than passenger carrying vessels | Third-Class Engineer, Motor ship (III/3) | Engineer in Charge of the Watch (STCW) ¹ Chief Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 17 | Chief Engineer, endorsement, Steam vessel of up to 2 000 kW, other than passenger carrying vessels | Third-Class Engineer, Steam ship (III/3) | Engineer in Charge of the Watch (STCW) ¹ Chief Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |
| 18 | Second Engineer, endorsement, Motor Vessel of up to 2 000 kW, other than passenger carrying vessels | Fourth-Class Engineer, Motor ship (III/1) | Engineer in Charge of the Watch (STCW) ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |

| Item | Column 1 | Column 2 | Column 3 |
|------|---|---|--|
| | Former certificate or former endorsement | Certificate required under former MPR | Corresponding certificate(s) of competency under this Part |
| 19 | Second Engineer, endorsement, Steam Vessel of up to 2 000 kW, other than passenger carrying vessels | Fourth-Class Engineer, Steam ship (III/1) | Engineer in Charge of the Watch (STCW) ¹ Second Engineer Less Than 3 000 kW Propulsion Power (STCW) ¹ |

Note 1: Valid only for vessels equipped with the type of propulsion system to which the application relates, but not valid for use on any vessel with electrical power systems of 1 000 volts and more.

Note 2: Valid only on a vessel engaged on a limited contiguous waters voyage.

Note 3: Exchange will be valid only for restricted voyages.

Note 4: Exchange will be valid only on a motor-driven fishing vessel.

Exchange of former certificates or former endorsements not listed in the table to subsection (1)

(2) The Minister must, on application by a holder of a former certificate or a former endorsement that is not set out in column 1 of the table to subsection (1), exchange that former certificate or former endorsement for a new certificate under this Part, after having completed the following measures:

(a) the Minister must evaluate the application by comparing the competencies, knowledge, understanding and proficiencies required to obtain the former certificate or the former endorsement with the competencies, knowledge, understanding and proficiencies required under these Regulations to obtain the new certificate the holder is seeking to receive in exchange, and

(b) if the Minister determines it is necessary, impose any additional requirements with respect to the competencies, knowledge, understanding and proficiencies of the holder, as the case may be, in order to proceed with that exchange.

Renewals of Certificates of Competency

Renewal – deck certificate of competency

1101 (1) The Minister must, on application, renew a certificate of competency issued under sections 1010 to 1018, 1020 to 1024, 1032 to 1034, 1086 to 1091 and 1094 or exchanged under section 1098, if the holder,

(a) has acquired the following qualifying service on board a vessel as an officer in charge of the deck watch or on board an MOU as an offshore installation manager, a barge supervisor or a ballast control operator:

(i) at least 12 months within the five years before the application date,

- (ii) in the case of a certificate issued under sections 1010 to 1018, at least three months within the six months before the application date, or
 - (iii) in the case of a certificate issued under sections 1020 to 1024, 1032 to 1034, 1086 to 1091 and 1094, at least three months within the 12 months before the application date;
- (b) has acquired, within the five years before the application date, at least 24 months of service in any of the following positions:
- (i) shore captain, marine superintendent or operations manager while employed by an authorized representative,
 - (ii) licensed ship's pilot assigned to pilotage duties or operations manager employed by a pilotage authority,
 - (iii) marine surveyor or marine inspector carrying out duties relating to the survey or inspection of vessels or vessels' equipment or cargoes,
 - (iv) harbour master, dock master, berth master, deputy harbour master, deputy dock master or deputy berth master,
 - (v) watchkeeper or supervisor of port operations, vessel traffic services or a search and rescue centre,
 - (vi) hydrographic surveyor,
 - (vii) instructor or training officer in nautical subjects, employed at a recognized institution or by an authorized representative,
 - (viii) examiner of masters and deck officers,
 - (ix) casualty investigator engaged in investigating marine casualties,
 - (x) person engaged in marine emergency response planning or vessel operations,
 - (xi) officer or representative of a trade union, as defined in the *Canada Labour Code*, whose duties include
 - (A) involvement in marine casualty investigations,
 - (B) liaising with or providing assistance to government bodies such as the Department of Transport and the Transportation Safety Board of Canada, and
 - (C) participating in the development of policy with respect to the training of vessel officers, or
 - (xii) an administrative position that involves being a member of the Marine Technical Review Board;
- (c) has acquired an equivalent pro-rated combination of the service required by paragraphs (a) and (b); or

- (d) within the five years before the application date,
 - (i) has obtained the training certificates for the approved MED training courses, and the MED certificates of proficiency, that are required for the certificate of competency to be issued, and
 - (ii) has passed a written examination on navigation safety and an oral examination on general seamanship applicable to the certificate.

Renewal – Master and Chief Mate Limited Certificates of Competency

(2) The Minister must, on application, renew a certificate of competency issued under sections 1027 to 1030 if the holder,

- (a) has acquired the following sea service:
 - (i) at least two months on board a vessel of the same type as the vessel in respect of which the application is made and in the area of operation specified by the certificate, within the five years before the application date, or
 - (ii) at least two weeks on board a vessel of the same type as the vessel in respect of which the application is made and in the area of operation specified on the certificate, within the 12 months before the application date; or
- (b) has obtained, within the five years before the application date, the training certificates for the approved training courses in MED that are required for the certificate of competency to be issued, and
 - (i) has passed an oral examination on general seamanship applicable to the certificate, or
 - (ii) in the case of a Master, Limited for a Vessel of 18 Metres in Length or More certificate of competency or a Chief Mate, Limited for a Vessel of 18 Metres in Length or More certificate of competency, has obtained a training certificate for an approved training course in SEN – Limited, or for an approved training course in SEN – Domestic set out in the “Qualifications” column in table 1 of subsection 1026(1).

Renewal – fishing certificate of competency

(3) The Minister must, on application, renew a certificate of competency issued under sections 1036 and 1037, or exchanged under section 1098, if the holder,

- (a) has acquired the following sea service as an officer in charge of the deck watch:
 - (i) at least two months within the five years before the application date, or
 - (ii) at least two weeks within the 12 months before the application date; or
- (b) within the five years before the application date,

- (i) has obtained the training certificates for the approved MED training courses that are required for the certificate of competency to be issued and has passed an oral examination on general seamanship applicable to the vessel in respect of which the application is made, or
- (ii) has obtained a training certificate for an approved training course in small vessel operator proficiency that includes the basic and fishing modules.

Renewal – engineering certificates of competency

1102 (1) The Minister must, on application, renew a certificate of competency issued under sections 1040 to 1045 and 1047, or exchanged under section 1100, if the holder of that certificate

- (a) has acquired the following sea service:
 - (i) at least 12 months within five years before the application date, or
 - (ii) at least three months within the six months before the application on board a vessel as an officer in charge of an engineering watch, chief engineer officer, second engineer officer, or
- (b) has acquired at least 24 months of qualifying service within the five years before the application date in any of the following positions:
 - (i) marine engineering superintendent or operations manager while employed by an authorized representative,
 - (ii) marine surveyor or marine inspector carrying out duties relating to the survey or inspection of vessels or vessels' machinery, equipment or cargoes,
 - (iii) instructor or training officer in marine engineering subjects, employed at a recognized institution or by an authorized representative,
 - (iv) examiner of engineers,
 - (v) casualty investigator engaged in investigating marine casualties,
 - (vi) person engaged in marine emergency response planning or vessel operations,
 - (vii) officer or representative of a trade union, as defined in the *Canada Labour Code*, whose duties include
 - (A) involvement in marine casualty investigations,
 - (B) liaising with or providing assistance to government bodies such as the Department of Transport and the Transportation Safety Board of Canada, and
 - (C) participating in the development of policy with respect to the training of vessel officers,

- (viii) an administrative position that involves being a member of the Marine Technical Review Board;
- (c) has acquired an equivalent pro-rated combination of the service required by paragraphs (a) and (b); or
- (d) within the five years before the application date,
 - (i) has obtained the training certificates for the approved MED training courses, and the MED certificates of proficiency, that are required for the certificate of competency to be issued, and
 - (ii) has passed an examination in general engineering knowledge or electrical engineering knowledge appropriate to the certificate to which the application relates, as specified in *TP 2293*.

Renewal – Maintenance Supervisor, MOU certificate of competency

- (2) The Minister must, on application, renew a certificate of competency issued under sections 1092 and 1093 if the holder of that certificate
 - (a) has acquired at least 12 months sea service as a Maintenance Supervisor, Chief Engineer Officer, Second Engineer Officer or Officer in Charge of an Engineering Watch, on board an MOU or a self-elevating MOU in the 5 years before the application date,
 - (b) has acquired at least 3 months of sea service as a Maintenance Supervisor, Chief Engineer Officer, Second Engineer Officer or Officer in Charge of an Engineering Watch, on board an MOU or a self-elevating MOU in the 12 months before the application date, or
 - (c) has passed an examination appropriate to the certificate to which the application relates as specified in *TP 2293*.

Renewal – Small Vessel Machinery Operator certificate of competency

- (3) The Minister must, on application, renew a certificate of competency issued under section 1046 if the holder
 - (a) has acquired at least three months of sea service as a small vessel machinery operator within the five years before the application date, or
 - (b) has passed an examination of general engineering knowledge of small vessels, as specified in *TP 2293*.

PART 2

Marine Medical Certificates

Definitions

Definitions

2000 The following definitions apply in this Part.

marine medical examiner means a physician or registered nurse who is designated by the Minister under section 2001. (*examineur médecin de la marine*)

registered nurse means a person registered or licensed as a nurse under the laws of a province or a territory. (*infirmier autorisé*)

TP 11343 means the standard entitled [*insert name*], published by the Department of Transport. (TP 11343)

Designation of a Marine Medical Examiner

Designation

2001 For the purposes of this Part, the Minister must designate as a marine medical examiner, a physician or registered nurse who applies for that designation if they meet the criteria set out in TP 11343.

Revocation

2002 The Minister may revoke the designation of a marine medical examiner if the Minister is of the opinion that the public interest warrants it or if the marine medical examiner

- (a) ceases to meet the criteria set out in TP 11343;
- (b) is incompetent or has committed an act of misconduct;
- (c) has been found guilty of an offence related to their duties;
- (d) is no longer authorized to practice; or
- (e) has acted fraudulently or improperly or has misrepresented a material fact.

Medical Assessment

Physical and mental fitness

2003 (1) Subject to subsection (2), a person who wishes to obtain a medical certificate issued under this Part must demonstrate by means of a medical assessment that they meet the following requirements:

- (a) they satisfy the medical standards related to vision and hearing specified in TP 11343;
- (b) they possess the general physical and mental fitness requirements specified in TP 11343 including the physical capacity to
 - (i) lift and carry the weight specified in TP 11343,

- (ii) wear breathing apparatus and the seafarer's personal life-saving equipment while climbing ladders, the physical strength and agility specified in TP 11343, and
 - (iii) carry out the duties that may be assigned to them regarding fire fighting and the evacuation of the vessel; and
- (c) they possess specific physical and mental fitness requirements specified in TP 11343 to meet the occupational and operational requirements of the position that they occupy or seek to occupy.

Preconditions

- (2) Before a person undergoes a medical assessment they must
- (a) be at least 16 years of age on the date of the examination;
 - (b) notify the marine medical examiner
 - (i) of any refusal to issue a medical certificate, and
 - (ii) of any limitations on a medical certificate previously or currently held by the person; and
 - (c) submit any medical certificate in their possession.

Application for Examination

- (3) A person that requests a medical assessment for the purposes of obtaining a medical certificate issued under this Part must make an application to the marine medical examiner in the manner established by the Minister.

Marine Medical Examiner

2004 Only a marine medical examiner may conduct a medical assessment of a person for the purpose of obtaining a medical certificate issued under this Part.

Prohibition

2005 (1) A marine medical examiner must not conduct a person's medical assessment unless one of the following situations apply:

- (a) the person is not the holder of a medical certificate; or
- (b) the person's marine medical certificate is less than 3 months from expiry.

Change in physical or mental fitness

- (2) Despite paragraph (1)(b), a marine medical examiner may conduct a person's medical assessment despite their marine medical certificate not expiring within 3 months if a change has occurred in respect of their physical or mental fitness for sea service.

Medical assessment

2006 The marine medical examiner must perform the medical assessment in accordance with the requirements set out in TP 11343 and must ensure that the person meets the requirements set out in subsection 2003(1).

Results — form

2007 The marine medical examiner must record the results of the medical assessment on the form established by the Minister.

Medical Certificates

Medical certificates

2008 (1) The following medical certificates may be issued under this Part:

- (a) an interim medical certificate; or
- (b) a marine medical certificate.

Attestation

- (2) The documents referred to in subsection (1) must attest to a person's ability to
- (a) perform the duties for which they are or will be employed; and
 - (b) complete the voyages to be engaged on by the vessel on board which they are or will be employed.

Marine Medical Certificate

Fit for sea service

2009 If, upon completion of the medical assessment, the marine medical examiner concludes that the person meets the requirements under subsection 2003(1) and is fit for sea service without any limitations, the examiner must take the following actions:

- (a) record their conclusion on the form established by the Minister; and
- (b) if the person is currently the holder of a medical certificate, take the certificate in their possession immediately.

Issuance of the certificate

2010 The Minister must issue a marine medical certificate without limitations to a person if the marine medical examiner has concluded that they meet the requirements under subsection 2003(1) and are fit for sea service without limitations.

Terms and conditions — marine medical certificate

2011 The holder of a marine medical certificate must respect the following terms and conditions:

- (a) provide the Minister, within a specified time, any medical report or medical information that the Minister may require to determine whether the person continues to meet the requirements in respect of the issuance of the certificate;
- (b) undergo any medical tests or examinations, within the specified time, that the Minister deems necessary to determine whether the person continues to meet the requirements in respect of the issuance of the certificate; and
- (c) notify the Minister, without delay, of any change to the person's state of health that could have a negative impact on their physical or mental fitness for sea service.

Interim Medical Certificate

Issuance — fit for sea service with limitations

2012 (1) If, upon completion of the medical assessment, the marine medical examiner concludes that the person meets the requirements under subsection 2003(1) and is fit for sea service with limitations, they must

- (a) record their conclusion and the limitations on the form established by the Minister;
- (b) if the person is currently the holder of a medical certificate, take the certificate in their possession immediately; and
- (c) issue the person an interim medical certificate, in the form established by the Minister.

Reasons for limitations

(2) A marine medical examiner that issues an interim medical certificate to a person must provide that person with a letter signed by the examiner stating their conclusion and the reasons for the limitations. Upon request, the marine medical examiner must also provide a copy of the form, recording the results of the medical assessment and any relevant reports.

Reporting to the Minister

(3) Within 30 days following the medical assessment, the marine medical examiner must send the Minister

- a) a copy of the interim medical certificate;
- (b) a copy of the letter stating the reasons for those limitations;
- (c) the original copy of the form, recording the results of the medical assessment and their conclusion;
- (d) their recommendations; and
- (e) any reports that the marine medical examiner deems relevant.

Validity

2013 (1) Subject to subsection (2), the validity period of an interim medical certificate ends on the earliest of

- (a) six months after the date of issuance of the certificate;
- (b) the day on which a new medical certificate is issued to the person; and
- (c) the date of a notice confirming the Minister's refusal to issue a marine medical certificate.

Invalid — interim medical certificate

(2) An interim medical certificate issued to a person is invalid if the following conditions are met:

- (a) the person is already the holder of another interim medical certificate;
- (b) the previously issued interim medical certificate was delivered within six months of the issuance of the new certificate; and
- (c) no change has occurred in respect of the person's physical or mental fitness for sea service.

Refusal of issuance of an interim medical certificate

Refusal to issue

2014 (1) If, upon completion of the medical assessment, the marine medical examiner concludes that the person is unfit for sea service, the examiner must provide the person with a signed letter confirming their refusal to issue an interim medical certificate and giving the reasons for the refusal. Upon request, the marine medical examiner must also provide a copy of the form, recording the results of the medical assessment and any relevant reports.

Reporting to the Minister

(2) Within five days following the medical assessment, the marine medical examiner must send the Minister

- (a) a copy of the letter of refusal;
- (b) the original copy of the form, recording the results of the medical assessment;
- (c) their recommendations; and
- (d) any reports that the marine medical examiner deems relevant.

Contestation of the marine medical examiner's decision

Notice of Contestation

2015 (1) A person who has been issued an interim medical certificate or a letter of refusal under section 2014 may contest the decision to issue the certificate or the refusal by sending a notice of contestation to the Minister within 30 days following the date of the letter referred to in subsection 2012(2) or subsection 2014(1).

Content

- (2) The notice of contestation must include
- (a) reasons for the contestation;
 - (b) the decision sought by the person; and
 - (c) any other document relevant to the decision sought.

Actions by the Minister

2016 Upon receipt of the notice of contestation, the Minister must consult a health care professional on the physical and mental fitness of the person and, if necessary, request that the person undergo further medical tests or examinations and, if necessary, specify the type of examinations or tests required and the persons to carry them out.

Examination of the Record

2017 (1) Upon receipt of the opinion of the health care professional that was consulted and the results of the tests or examinations requested, if any, the Minister must examine the person's record, including the occupational and operational requirements of the position that they occupy or seek to occupy and the level of risk involved in that position.

Decision of the Minister

- (2) Following the Minister's examination under subsection (1), the Minister must take one of the following decisions:
- (a) issue a marine medical certificate, with or without limitations; or
 - (b) refuse to deliver a marine medical certificate.

Reasons for limitations

2018 (1) The Minister must, immediately after issuing a marine medical certificate with limitations, provide the person with a letter stating the reasons for the limitations.

Reasons for refusal

- (2) The Minister must, immediately after refusing to issue a marine medical certificate to a person, send them a notice confirming the refusal and providing the reasons for the refusal.

Absence of contestation

Interim medical certificate

2019 (1) In the case of a person who has been issued an interim medical certificate under section 2012 and has not sent a notice of contestation, the Minister must issue the person a marine medical certificate with the limitations indicated by the marine medical examiner.

Delay

(2) The Minister must not issue a marine medical certificate in accordance with subsection (1) unless 5 business days have elapsed after the expiration of the period to send the notice of contestation.

Letter of refusal

2020 (1) In the case of a person who has received a letter of refusal issued under section 2014 and has not sent a notice of contestation, the Minister must send a notice to the person confirming the refusal and providing the reasons for the refusal.

Delay

(2) The Minister must not send a notice confirming their refusal in accordance with subsection (1) unless 5 business days have elapsed after the expiration of the period to send the notice of contestation.

Reviews and Appeals — Marine Medical Certificate with Limitations

Review

2021 (1) The Tribunal has jurisdiction over reviews and appeals with regard to any marine medical certificate with limitations.

Request for review

(2) A person who is issued a marine medical certificate with limitations may request a review of that certificate by the Tribunal.

Review procedure

(3) The review procedure set out in subsections 16.1(2) to (5) of the Act applies to a review of a medical certificate with limitations.

Appeal

2022 (1) A person may appeal to the Tribunal a determination made under paragraph 16.1(5)(b) of the Act.

Appeal procedure

(2) The appeal procedure set out in section 20.5 of the Act applies to an appeal by a person of a decision made under subsection 16.1(5) of the Act.

PART 3

Crewing, Training and Watchkeeping Requirements

Definitions and Interpretation

Definitions

3000 The following definitions apply in this Part.

deck watch means the period of time during which a part of the complement of a vessel, under the responsibility of the deck officer, ensures the safety of life, the ship, the cargo, the port, the environment and of any operation occurring on deck of a vessel in port. (*quart pont*)

domestic waters means the following waters:

- (a) the rivers, lakes and other navigable fresh waters within Canada, with any part of any lake or river forming part of the inland waters of Canada that lies within the United States and Lake Michigan;
- (b) the waters that are contiguous to Canada, the United States (except Hawaii) and Saint Pierre and Miquelon within 25 nautical miles from shore;
- (c) the waters of the Gulf of St. Lawrence and Cabot Strait, up to 25 miles seaward of a straight line joining Cape Canso at 45° 18' 22" N, 60° 56' 17" W and Cape Pine at 46° 36' 49" N, 53° 32' 30" W;
- (d) the waters of the Queen Charlotte Sound and Hecate Strait, up to 25 nautical miles seaward of a straight line joining Winifred Island at 50° 39' 40" N, 128° 22' 00" W, and Kunghit Island at 51° 56' 37" N, 131° 01' 52" W;
- (e) the waters that are contiguous to the south east coast of Vancouver Island that are located north of a line joining 48° 21' 30" N, 125° 24' 00" W to 48° 07' 12" N, 126° 02' 08" W to 49° 42' 00" N, 128° 04' 43" W. (*eaux de navigation intérieure*)

IMO Resolution A.1047(27) means resolution A.1047(27) of the IMO adopted on November 30, 2011 entitled *Principles of Minimum Safe Manning*, as amended from time to time, or any other resolution that replaces it. (*résolution de l'OMI A.1047(27)*)

IMO Resolution A.1079(28) means resolution A.1079(28) of the IMO adopted on December 4, 2013 entitled *Recommendations for the Training and Certification of Personnel on Mobile Offshore Units (MOUs)*, as amended from time to time, or any other resolution that replaces it. (*résolution de l'OMI A.1079(28)*)

limited waters means waters within 200 nautical miles from shore or above the continental shelf, limited to the waters contiguous to Canada, United States (except Hawaii) and St-Pierre

and Miquelon including on the west coast of Canada the waters up to Cobb-Eickelberg seamount chain. (*eaux limitées*)

low-flashpoint fuel means gaseous or liquid fuel having a flashpoint lower than otherwise permitted under paragraph 2.1.1 of SOLAS regulation II-2/4. (*combustible à faible point d'éclair*)

machinery spaces means spaces containing propulsion machinery, boilers, fuel units, engines, generators and major electrical machinery, or ventilation and air conditioning machinery, and similar spaces, as well as trunks to such spaces. (*locaux de machines*)

minimum safe manning document means

- (a) if the vessel is a Canadian vessel, a document issued to the vessel by the Minister in accordance with Division 2.
- (b) if the vessel is a foreign vessel, a document issued to the vessel by the government of the State whose flag the vessel is entitled to fly that meets the requirements of Division 2 (*document concernant l'effectif minimal de sécurité*)

mobile offshore units or **MOU** has the same meaning as in article 2 of the Annex to IMO Resolution A.1079(28) *Recommendations for the Training and Certification of Personnel on Mobile Offshore Units (MOUs)* adopted on December 4, 2013. (*unité mobile au large ou UML*)

motor vessel means a vessel whose propulsive power is derived from an internal combustion engine or an electric motor. (*bâtiment à moteur*)

sheltered waters voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage en eaux abritées*)

unlimited voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage illimité*)

unlimited waters means waters beyond limited waters. (*eaux illimitées*)

voyage in domestic waters refers to any class of voyage that is undertaken in domestic waters. (*voyage dans des eaux de navigation intérieure*)

Interpretation of documents incorporated by reference

“Ship”

3001 (1) For the purpose of interpreting a document incorporated by reference into these Regulations, “ship” is to be read as “vessel”.

IMO Resolution A.1047(27)

- (2) For the purposes of interpreting IMO Resolution A.1047(27) in this Part,
 - a) “Administration” is to be read as the Minister;
 - (b) “company” is to be read as the “authorized representative of a vessel”;

- (c) “grades/capacities of personnel” is to be read as “positions”;
- (d) “hours of work or rest” is to be read as “hours of work and hours of rest”;
- (e) “life-saving appliances” is to be read as “life-saving equipment”;
- (f) “Ship’s Security Plan” is to be read as “vessel security plan”; and
- (g) “ship’s complement” is to be read as “crew”.

STCW Convention

- (3) For the purposes of interpreting the STCW Convention,
 - (a) “Administration” is to be read as the Minister.

STCW-F Convention

- (4) For the purposes of interpreting the STCW-F Convention,
 - (a) “Administration” is to be read as the Minister;
 - (b) “owners and operators” is to be read as “authorized representative”; and
 - (c) “skipper” is to be read as “master”.

“Should”

- (5) For the purposes of documents incorporated by reference into these Regulations, the word “should” is to be read as “must” and any recommendation or suggestion is to be read as an obligation, unless the context requires otherwise.

Regulations prevail

- (6) In the event of an inconsistency between a provision of these Regulations and a document that is incorporated by reference into these Regulations, the provision prevails to the extent of the inconsistency.

Application

Application

3002 In this Part,

- (a) Division 1 applies in respect of self-propelled Canadian vessels everywhere and in respect of foreign vessels in Canadian waters, except the following vessels:
 - (i) in the case of Canadian vessels,
 - (A) human-powered vessels,

- (B) Canadian Coast Guard vessels while exercising the powers and while performing the duties and functions of the Minister of Fisheries and Oceans set out in subsection 41(1) and in section 42 of the *Oceans Act*, and
- (C) vessels that are not required to hold a Canadian vessel inspection certificate under the *Vessel Safety Certificates Regulations*, and
- (ii) in the case of foreign vessels,
 - (A) fishing vessels,
 - (B) wooden vessels of primitive build,
 - (C) cargo vessels of less than 500 gross tonnage,
 - (D) tug boats of less than 500 gross tonnage, and
 - (E) vessels that are engaged on a near coastal voyage, Class 2 or a sheltered waters voyage;
- (b) Division 2 applies in respect of
 - (i) self-propelled Canadian vessels anywhere, except for
 - (A) human-powered vessels,
 - (B) fishing vessels,
 - (C) mobile offshore units, and
 - (D) cable ferries that are subject to Division 8, and
 - (ii) foreign vessels in Canadian waters, except for fishing vessels;
- (c) Division 3 applies in respect of self-propelled Canadian vessels everywhere, except for
 - (i) human-powered vessels,
 - (ii) fishing vessels,
 - (iii) mobile offshore units,
 - (iv) air cushion vessels, and
 - (v) cable ferries that are subject to Division 8;
- (d) Division 4 applies in respect of self-propelled Canadian vessels everywhere except for mobile offshore units;
- (e) Division 5 applies in respect of Canadian vessels everywhere that are self-propelled fishing vessels;

- (f) Division 6 applies in respect of mobile offshore units that are Canadian vessels, except for units that are operating in the Great Lakes Basin;
- (g) Division 7 applies in respect of air cushion vessels that are Canadian vessels; and
- (h) Division 8 applies in respect of cable ferries that operate in sheltered waters on a distance of not more than 1,000 metres.

DIVISION 1

Minimum Safe Manning Document

Compliance with safe manning document

3003 The authorized representative of a vessel must ensure that the vessel carries on board a minimum safe manning document issued in respect of the vessel and that the complement of the vessel meets its requirements.

Canadian Vessels

Application

3004 (1) The authorized representative of the vessel must submit an application for a minimum safe manning document to the Minister using the form provided by the Minister. The application must contain the following:

- (a) a proposal by the authorized representative for the minimum complement of the vessel, determined
 - (i) by meeting the requirements of these Regulations regarding the positions that must be occupied on board vessels,
 - (ii) by following the guidelines set out in Annex 1 and Annex 2 of IMO Resolution A.1047(27), and
 - (iii) by specifying a sufficient number of people to allow the simultaneous execution of the emergency duties set out in section 3005 without affecting the personnel needed to maintain the complement for the deck, navigational, radio and engineering watches; and
- (b) an explanation of how the proposed minimum safe manning complement in the application is sufficient to deal with emergency situations, including the evacuation of persons on board the vessel.

Assessment

(2) The authorized representative makes the following assessments and submits them to the Minister:

- (a) the assessment of the tasks, duties and responsibilities that the vessel's complement must undertake to ensure the vessel's safe operation, its security, the protection of the marine environment, and for dealing with emergency situations; and
- (b) the assessment of the positions that must be occupied on board the vessel and their number to ensure the vessel's safe operation, its security, the protection of the marine environment, and for dealing with emergency situations, including the evacuation of passengers.

Emergency duties

3005 The Minister must specify the number of persons that the Minister considers necessary on board a vessel or a category of vessel to perform each of the emergency duties listed below in a safe manner without compromising the personnel assigned to the navigational watch, the engineering watch and the radio watch:

- (a) preparing, launching and taking charge of survival crafts and evacuation systems;
- (b) firefighting and carrying out a fire patrol;
- (c) carrying out an evacuation;
- (d) directing and controlling the passengers during and after an evacuation; and
- (e) providing first aid and medical care on board.

Evaluation of the application

3006 (1) The Minister evaluates the authorized representative's proposed minimum complement to ensure that it

- (a) meets the requirements of these Regulations regarding the positions that must be occupied on board vessels;
- (b) contains the number of persons having received the training to fulfil the tasks, duties and responsibilities required for the safe operation of the vessel, for its security, for protection of the marine environment and for dealing with emergency situations; and
- (c) is sufficient to meet the requirements concerning the hours of work and hours of rest established in Part 4 of these Regulations for the master and every crew member.

Amendment of proposal

(2) If the proposed minimum complement is not sufficient and competent in accordance with section 3022, the authorized representative must amend the proposal in the manner specified by the Minister.

Issuance of Minimum Safe Manning Document

3007 (1) If the Minister determines that the proposed complement of the vessel is sufficient and competent for the safe operation of the vessel in accordance with section 3022, the Minister must approve the proposed minimum complement and issue a minimum safe manning document.

Content of the document

(2) The minimum safe manning document includes the information found in section 1 of Annex 4 of IMO Resolution A.1047(27).

New application

3008 The authorized representative of a vessel must submit a new application for a minimum safe manning document where circumstances arise that may affect the minimum complement of the vessel, including changes to

- (a) the vessel's area of operation;
- (b) the construction of the vessel;
- (c) the machinery or equipment of the vessel; or
- (d) the number of passengers carried.

Foreign Vessels

Language and content

3009 (1) The minimum safe manning document issued to a foreign vessel must be in English or French and must include the information set out in section 1 of Annex 4 of IMO Resolution A.1047(27).

Vessels engaged in the coasting trade

- (2) The authorized representative of a foreign vessel engaged in the coasting trade must ensure that the minimum safe manning document issued to the vessel is on board and contains an endorsement issued by the Minister that
- (a) contains a statement that the minimum complement described in the safe manning document meets the requirements concerning minimal safe manning for Canadian vessels; or
 - (b) sets out the requirements that the vessel must meet to comply with the crewing requirements concerning minimal safe manning for Canadian vessels.

Coasting trade

(3) For the purposes of subsection (2), **coasting trade** has the same meaning as in subsection 2(1) of the *Coasting Trade Act*.

DIVISION 2

Standards Respecting Deck or Navigational Watch, Engineering Watch and Radio Watch

Watch requirements

3010 The master of a vessel must ensure that the following watches are maintained in accordance with the requirements of this Division:

- (a) a navigational watch;
- (b) a deck watch;
- (c) an engineering watch; and
- (d) a radio watch.

Navigational Watch

STCW Code

3011 The master of a vessel must ensure that a navigational watch is carried out in accordance with the principles and factors to be taken into account that are set out in parts 3, 4 and 4-1 of Section A-VIII/2 of the *STCW Code*, specifically that a proper lookout is maintained at all times, in accordance with sections 14 to 17 of Part 4-1 of Section A-VIII/2 of the *STCW Code*.

Team composition

3012 The master of a vessel must ensure that each navigational watch team is composed of

- (a) an officer in charge of the navigational watch;
- (b) a watch rating, if a watch rating is required as a part of the minimum complement required by these Regulations;
- (c) any additional persons necessary, taking into account the factors set out in sections 17 and 18 of part 4-1 of Section A-VIII/2 of the *STCW Code*.

Deck watch rating

3013 Despite any provision to the contrary, a deck watch rating is required on the bridge at all times while the vessel is operating unless

- (a) the conditions for sole lookout set out in section 16 of part 4-1 of Section A-VIII/2 of the *STCW Code* are met; or
- (b) the vessel is less than 500 gross tonnage and affords an unobstructed all-round view from the steering position and is either

- (i) engaged on a voyage of not more than five nautical miles within the limits of a harbour, in good visibility between sunrise and sunset, or
- (ii) a harbour tug that complies with the requirements of Schedule VIII of the *Marine Machinery Regulations* and is assisting another vessel within the limits of a harbour.

Deck watch in port

3014 The master of a vessel that is not laid up but is securely anchored in port or securely moored to shore must ensure that a deck watch in port is maintained to ensure safety and security in accordance with the principles and factors to be taken into account that are set out in Parts 5-1, 5-3, 5-5 and 5-6 of Section A-VIII/2 of the *STCW Code*.

Engineering Watch

STCW Code

3015 The chief engineer officer of a vessel must ensure, in consultation with the master, that the vessel's voyage is planned and that the engineering watch is carried out in accordance with the principles and factors to be taken into account that are set out in parts 1 to 4 and 4-2 of Section A-VIII/2 of the *STCW Code*.

Team composition

3016 Subject to subsection 3027(2), the chief engineer officer of a vessel ensures, in consultation with the master, that the engineering watch team of the vessel consists of

- (a) an officer in charge of an engineering watch;
- (b) an engine rating if the minimum complement of the vessel requires an engine rating; and
- (c) any additional persons that are required after taking into account the principles and factors that are set out in parts 1 to 4 and 4-2 of Section A-VIII/2 of the *STCW Code*.

Periodically unattended machinery spaces

3017 (1) Subject to subsection (2), the master of a vessel must ensure that the machinery spaces are continuously attended by the engineering watch team while the vessel is under way.

Exception

(2) Subsection (1) does not apply to a vessel that is equipped in accordance with the requirements of Schedule VIII to the *Marine Machinery Regulations* or that is classified by a recognized organization and has a valid unattended machinery spaces notation except for the following vessels:

- (a) a passenger vessel; or
- (b) a vessel of 500 gross tonnage and more that is under way

- (i) in a compulsory pilotage area except in the compulsory pilotage areas described in paragraph 3(e) of the *Great Lakes Pilotage Regulations*, or
- (ii) in a port or in an anchorage area..

Definition of *passenger vessel*

(3) For the purposes of paragraph (2)(a), ***passenger vessel*** means a vessel that carries more than 12 passengers.

Engineering Watch in Port

STCW Code

3018 The chief engineer officer of a vessel that is securely anchored in port or securely moored to shore, must ensure, in consultation with the master, that the engineering watch in port is maintained in accordance with the principles and factors to be taken into account that are set out in Parts 5-2, 5-4, 5-5 and 5-6 of Section A-VIII/2 of the *STCW Code*.

Radio Watch

STCW Code

3019 The master of a vessel must ensure that a radio watch is maintained in compliance with Part 4-3 of section A-VIII/2 of the *STCW Code*.

Radio operator certificates

3020 (1) Subject to subsections (2) and (3), the master of a vessel that is required by the *Ship Station (Radio) Regulations, 1999* to be fitted with a VHF radiotelephone must ensure that any person who is in charge of the radio watch holds one of the following radio operator certificates issued under the *Radiocommunication Act*:

- (a) Restricted Operator Certificate with Maritime Qualification;
- (b) General Operator Certificate; or
- (c) Restricted Operator's Certificate (ROC-MC).

Digital selective calling

(2) The master of a vessel engaged on a voyage other than a sheltered waters voyage and that is required by the *Ship Station (Radio) Regulations, 1999* to be fitted with a VHF radio installation capable of digital selective calling must ensure that any person in charge of the radio watch holds one of the following Radio Operator certificates issued under the *Radiocommunication Act*:

- (a) a Restricted Operator Certificate with Maritime Qualifications issued after January 1, 2005 in the case of a vessel that is engaged on a near coastal voyage, Class 2, and the only

radiotelephone installation on board is a VHF radio installation capable of digital selective calling;

(b) in all other cases, a Restricted Operator's Certificate (ROC-MC).

Sea areas A2, A3 or A4

(3) The master of a vessel to which section 10 of the *Ship Station (Radio) Regulations, 1999* applies, when operating in sea areas A2, A3 or A4, must ensure that the person in charge of the radio watch holds one of the following Radio Operator certificates issued under the *Radiocommunication Act*:

- (a) a General Operator Certificate; or
- (b) a First-class Radioelectronic certificate.

Distress incident

3021 (1) The master of a vessel to which section 10 of the *Ship Station (Radio) Regulations, 1999* applies must assign, when operating in sea area A2, sea area A3 or sea area A4, a crew member as principal communicator whose duty is to be responsible for radiocommunications and operate the radiocommunication equipment during a distress incident.

Passenger vessel

(2) If a vessel referred to in subsection (1) holds a Passenger Ship Safety Certificate issued under the *Vessel Certificates Regulations*, the master must ensure that the principal communicator is not assigned duties other than radiocommunication duties during a distress incident.

Certificates

(3) The master of a vessel referred to in subsection (1) must ensure that the principal communicator holds one of the certificates listed in subsection 3020(3).

Definition

(4) For the purposes of subsection (1), **sea area A2**, **sea area A3** and **sea area A4** have the same meanings, respectively, as in Chapter IV of SOLAS. (*zone océanique A2*, *zone océanique A3* et *zone océanique A4*)

DIVISION 3

Crewing of Canadian Vessels

General

Minimum complement

3022 For the purposes of subsection 82(2) of the Act, a vessel is staffed with a crew that is sufficient and competent for the safe operation of the vessel when the vessel's complement is composed, at a minimum, of the following persons:

- (a) persons who occupy the positions that must be occupied to meet the requirements of this Part and that hold Canadian maritime documents or other documents as required for those positions;
- (b) persons in numbers specified by the Minister on the safe manning document to take charge of safety and emergency duties set out in section 3005 and who have received training as specified by these Regulations;
- (c) additional necessary persons, specified by the Minister after taking into account the guidelines found in Annex 1 and Annex 2 of IMO Resolution A.1047(27).

Master on board

3023 Despite any other provision to the contrary, a Canadian vessel anywhere must have on board at least one master who holds a certificate of competency or any other document required by these Regulations for this position and, except for the following circumstances, an additional crew member:

- (a) the vessel has an overall length of not more than 8.5 m;
- (b) the vessel is engaged in a log sorting or yarding operation that is carried out at a booming ground and does not use lines or chains.

Medical certificate

3024 (1) A person must not exercise the privileges or attempt to exercise the privileges of a certificate of competency, an endorsement or other certificate unless the person holds a valid medical certificate referred to in Part 2, in any of the following circumstances:

- (a) a medical certificate is required for the issuance of the certificate of competency, endorsement or other certificate, that is required for the position that the person is to occupy; and
- (b) the position that is to be occupied by the person is on board a vessel, that is
 - (i) of 200 gross tonnage or more, and
 - (ii) engaged on a voyage other than a voyage in domestic waters.

Prohibition — authorized representative and master

(2) The authorized representative and the master of a vessel must not employ a person on board their vessel who does not hold a medical certificate where required under subsection (1).

Exception — foreign certificates

(3) Despite subsection (1), a person who holds a certificate of competency issued by the government of a foreign state may hold a valid medical certificate issued or approved by a foreign maritime administration instead of the medical certificates referred to in Part 2 of these Regulations, if the certificate of competency has a Canadian endorsement attesting that the Minister has recognized the foreign certificate of competency in lieu of the certificate of competency required by this Part.

Ship's Cook certificate

3025 If a person occupies the position of cook on board a vessel that has a minimum complement of 10 or more members, the authorized representative of the vessel must ensure that the cook holds a Ship's Cook certificate of competency if the vessel meets the following requirements:

- (a) is engaged in commercial activities; and
- (b) is engaged on an international voyage other than a voyage to the United States or Saint Pierre and Miquelon.

Positions That Must Be Occupied on Board Canadian Vessels

Positions

3026 (1) The following positions must be occupied on board a vessel:

- (a) a master;
- (b) a chief mate, if the vessel is 500 gross tonnage or more or carries more than 50 passengers;
- (c) for each team performing the deck or navigational watch,
 - (i) a deck officer in charge of the watch,
 - (ii) a deck watch rating, if the vessel has an overall length of 8.5 metres or more, and
 - (iii) a radio operator, if the vessel is equipped with a VHF radiotelephone installation or a VHF radio installation, except if the deck officer in charge of the watch is also in charge of the radio watch;
- (d) a chief engineer officer, if the vessel
 - (i) is a vessel of 750 kW propulsion power or more, or
 - (ii) is a steam vessel of less than 750 kW propulsion power;
- (e) a second engineer officer, if the vessel
 - (i) is engaged on an unlimited voyage or near coastal voyage class 1 other than a voyage in domestic waters and has a propulsive power of 750 kW or more,

- (ii) is engaged on a voyage in domestic waters and has a propulsive power of 7000 kW or more, or
 - (iii) is engaged on Near Coastal class 2 voyage and has a propulsive power of 7000 kW or more;
- (f) for each team performing the engineering watch on a vessel with a propulsive power of 750 kW or more,
- (i) an officer in charge of an engineering watch, and
 - (ii) an engine rating, if the vessel is engaged on
 - (A) an unlimited voyage, or
 - (B) a near coastal voyage, Class 1.

Engine rating — Exception

- (2) Despite paragraph (1)(f)(ii), no engine rating is required if
- (a) the machinery essential to the safe operation of the vessel has automatic operational features that, while the machinery is in operation, provide fuel to the machinery and lubricate it from a supply of lubricant that is sufficient to enable the machinery to operate continuously at full load for a period of at least twenty-four hours; and
 - (b) the propulsion system of the vessel is controlled from the bridge.

Dual Capacity — General Prohibition

3027 (1) A person must not occupy more than one position set out in section 3026(1) to satisfy the requirements respecting the minimum complement, except in accordance with subsection (2).

Dual Capacity — Exception

(2) For the purposes of determining whether the requirements respecting the minimum safe manning level of a vessel have been satisfied, a person who occupies a position indicated in column 1 of the table to this subsection may also occupy a position indicated in column 2 if the person holds the certificate of competency required for the position indicated in column 2 and the conditions set out in column 3, if any, are met.

Positions for which Dual Capacity Is Allowed

| Item | Column 1 Position | Column 2 Position | Column 3 Conditions |
|------|----------------------|-------------------------------------|--|
| 1 | Master | Deck officer in charge of the watch | Vessel that meets the following requirements: <ul style="list-style-type: none"> (a) the vessel is of not more than 1 000 gross tonnage and is operating with only a one watch system; or (b) the vessel is of more than 1 000 gross tonnage but not more than 3 000 gross tonnage and is operating with a three watch system. |

| Item | Column 1 Position | Column 2 Position | Column 3 Conditions |
|------|-------------------------------------|---|---|
| | | Radio operator | |
| | | Chief engineer officer | Vessel that does not engage in towing operations, if the vessel meets the following requirements: <ul style="list-style-type: none"> (a) it is a motor vessel that is 20 m or less in length; (b) the vessel's propulsion system has all the necessary gauges, alarms and engine and emergency controls so that it can be controlled from the steering station while keeping a navigational lookout; and (c) there is on board, in addition to the person acting in the dual capacity, at least one crew member who is at least 18 years of age and able to render any assistance that might be necessary in an emergency. |
| 2 | Chief mate | Deck officer in charge of the watch Radio operator | |
| 3 | Deck officer in charge of the watch | Radio operator | |
| 4 | Chief engineer officer | Officer in charge of an engineering watch | |
| 5 | Second engineer officer | Officer in charge of an engineering watch | |

Canadian Maritime Documents and Other Documents for Required Positions

Deck Department

Unlimited Voyages

3028 While on board a vessel that is engaged on an unlimited voyage, a person who occupies a position set out in column 1 of an item of the table to this section must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Unlimited Voyage

| Item | Column 1 Position | Column 2 Vessel | Column 3 Certificate of Competency |
|------|----------------------|---|---|
| 1 | Master | Vessel of more than 3 000 gross tonnage | Master Mariner |
| | | Vessel of not more than 3 000 gross tonnage | (i) Master Mariner (ii) Master 3 000 Gross Tonnage |
| | | Vessel of not more than 500 gross tonnage | (i) Master Mariner (ii) Master 3 000 Gross Tonnage |

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| Column 1 | Column 2 | Column 3 |
|---------------------------------------|---|--------------------------------|
| Item Position | Vessel | Certificate of Competency |
| | | (iii) Master 500 Gross Tonnage |
| 2 Chief mate | Vessel of more than 3 000 gross tonnage | (i) Chief Mate |
| | Vessel of not more than 3 000 gross tonnage | (i) Chief Mate |
| | | (ii) Watchkeeping Mate |
| 3 Deck officer in charge of the watch | Any vessel | (i) Watchkeeping Mate |
| 4 Deck Watch Rating | Vessel of more than 500 gross tonnage | (i) Bridge Watch Rating |
| | | (ii) Able Seafarer Deck |

Near Coastal Voyage, Class 1 that is not a voyage in domestic waters

3029 (1) While on board a vessel that is engaged on a near coastal voyage, Class 1 that is not a voyage in domestic waters, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the vessel is of a category set out in column 2 of that item hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 1 that Is not a Voyage in Domestic Waters

| Column 1 | Column 2 | Column 3 |
|---------------|---|---|
| Item Position | Vessel | Certificate of Competency |
| 1 Master | Vessel of more than 3 000 gross tonnage | (i) Master Mariner |
| | | (ii) Master Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Master Mariner |
| | | (ii) Master Near Coastal |
| | | (iii) Master 3 000 Gross Tonnage |
| | | (iv) Master 3 000 Gross Tonnage, Near Coastal |
| | Vessel of not more than 500 gross tonnage | (i) Master Mariner |
| | | ii) Master Near Coastal |
| | | (iii) Master 3 000 Gross Tonnage |
| | | (iv) Master 3 000 Gross Tonnage, Near Coastal |
| | | (v) Master, 500 Gross Tonnage |
| | | (vi) Master, 500 Gross Tonnage, Near Coastal |
| | | (vii) Chief Mate |
| | | (viii) Chief Mate, Near Coastal |

| Column 1 | Column 2 | Column 3 |
|---------------------------------------|---|---|
| Item Position | Vessel | Certificate of Competency |
| 2 Chief mate | Vessel of more than 3 000 gross tonnage | (i) Chief Mate (ii) Chief Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Chief Mate (ii) Chief Mate, Near Coastal (iii) Watchkeeping Mate (iv) Watchkeeping Mate, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal |
| 3 Deck officer in charge of the watch | Any vessel | (i) Watchkeeping Mate (ii) Watchkeeping Mate, Near Coastal |
| 4 Deck Watch Rating | Vessel of more than 500 gross tonnage | (i) Bridge Watch Rating |
| | | (ii) Able Seafarer Deck |

Exception — Master

(2) Despite the requirements of subsection (1), the person who occupies the position of master on board a vessel of less than 24 metres in length may hold the certificate of competency Master, Vessel of less than 24 Metres in Length, Domestic with a 50 Nautical Miles from Shore endorsement if

- (a) the vessel is never more than 50 nautical miles from shore; and
- (b) the voyage is between locations limited to Canada, the United States (excluding Hawaii) and Saint-Pierre and Miquelon.

Exception — Chief mate

(3) Despite the requirements of subsection (1), the person who occupies the position of chief mate on board a vessel of less than 24 metres in length may hold the certificate of competency Chief Mate, Vessel of less than 24 metres in length, Domestic with a 50 Nautical Miles from Shore endorsement if the requirements set out in paragraphs (2)(a) and (b) are met.

Exception — Activities tied to fishing

(4) Despite the requirements of subsection (1), a person who occupies the position of master on board a vessel of 24 metres or more in length may hold one of the certificates set out in column 3 of an item of table to subsection 3082(1) or 3083(1) for a fishing vessel of 24 metres or more in length, if

- (a) the vessel is engaged on a **limited, contiguous waters voyage**, as defined in Schedule 1; and

(b) the sole activity of the vessel is in respect of the catch or harvest of fish or other living marine resources of another vessel or aquaculture facility.

Near Coastal Voyage, Class 1 that is a voyage in domestic waters

3030 (1) While on board a vessel that is engaged on a near coastal voyage, Class 1 that is a voyage in domestic waters, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 1 that Is a Voyage in Domestic Waters

| Column 1 | Column 2 | Column 3 |
|---------------|---|---|
| Item Position | Vessel | Certificate of Competency |
| 1 Master | Vessel of more than 3 000 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal (v) Master 3 000 Gross Tonnage, Domestic |
| | Vessel of not more than 500 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal (v) Master 3 000 Gross Tonnage, Domestic (vi) Master 500 Gross Tonnage (vii) Master, 500 Gross Tonnage, Near Coastal (viii) Chief Mate (ix) Chief Mate, Near Coastal (x) Master, 500 Gross Tonnage, Domestic |
| | Vessel less than 18 metres in length | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal |

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| Column 1 | Column 2 | Column 3 |
|---------------------------------------|---|--|
| Item Position | Vessel | Certificate of Competency |
| | | <ul style="list-style-type: none"> (v) Master 3 000 Gross Tonnage, Domestic (vi) Master 500 Gross Tonnage (vii) Master, 500 Gross Tonnage, Near Coastal (viii) Chief Mate (ix) Chief Mate, Near Coastal (x) Master, 500 Gross Tonnage, Domestic (xi) Watchkeeping Mate (xii) Watchkeeping Mate, Near Coastal (xiii) Chief Mate, 500 Gross Tonnage, Domestic |
| 2 Chief mate | Vessel of more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Chief Mate (ii) Chief Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Chief Mate (ii) Chief Mate, Near Coastal (iii) Watchkeeping Mate (iv) Watchkeeping Mate, Near Coastal (v) Master, 500 Gross Tonnage, Domestic |
| | Vessel of not more than 500 gross tonnage | <ul style="list-style-type: none"> (i) Chief Mate (ii) Chief Mate, Near Coastal (iii) Watchkeeping Mate (iv) Watchkeeping Mate, Near Coastal (v) Master, 500 Gross Tonnage, Domestic (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate, 500 Gross Tonnage, Domestic |
| 3 Deck officer in charge of the watch | Vessel of more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Watchkeeping Mate (ii) Watchkeeping Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Watchkeeping Mate (ii) Watchkeeping Mate, Near Coastal (iii) Chief Mate, 500 Gross Tonnage, Domestic |
| 4 Deck watch rating | Vessel of 500 gross tonnage or More | <ul style="list-style-type: none"> (i) Bridge Watch Rating |

| Column 1 | Column 2 | Column 3 |
|---------------|----------|---------------------------|
| Item Position | Vessel | Certificate of Competency |
| | | (ii) Able Seafarer Deck |

Exception — Master

(2) Despite the requirements of subsection (1), the person who occupies the position of master on board a vessel of less than 24 metres in length may hold the certificate Master, Vessel of less than 24 Metres in Length, Domestic with a 50 Nautical Miles from Shore endorsement if

- (a) the vessel is never more than 50 nautical miles from shore; and
- (b) the voyage is between locations limited to Canada, the United States (excluding Hawaii) and Saint-Pierre and Miquelon.

Exception — Master

(3) Despite the requirements of subsection (1), the person who occupies the position of master on board a vessel of less than 12 meters in length overall may hold a certificate Chief Mate, Vessel of Less than 24 Metres, Domestic, with a 50 Nautical Miles from Shore endorsement.

Exception — Chief mate

(4) Despite the requirements of subsection (1), the person who occupies the position of chief mate on board a vessel of less than 24 metres in length may hold the certificate Chief Mate, Vessel of Less than 24 Metres in Length, Domestic with a 50 Nautical Miles from Shore endorsement if the requirements set out in paragraphs (2)(a) and (b) are met.

Exception — Activities tied to fishing

(5) Despite the requirements of subsection (1), a person who occupies the position of master on board a vessel of 24 metres or more in length may hold one of the certificates set out in column 3 of an item of table to subsection 3082(1) or 3083(1) for a fishing vessel of 24 metres or more in length, if

- (a) the vessel is engaged on a **limited, contiguous waters voyage**, as defined in the Schedule 1; and
- (b) the sole activity of the vessel is in respect of the catch or harvest of fish or other living marine resources of another vessel or aquaculture facility.

Near Coastal Voyage, Class 2

3031 (1) While on board a vessel that is engaged on a near coastal voyage, Class 2, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 2

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| Column 1 | Column 2 | Column 3 | | |
|---------------|----------|---|---|---|
| Item Position | Vessel | Certificate of Competency | | |
| 1 | Master | Vessel of more than 3 000 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal | |
| | | Vessel of not more than 3 000 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal (v) Master 3 000 Gross Tonnage, Domestic | |
| | Master | Vessel of not more than 500 gross tonnage | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal (v) Master 3 000 Gross Tonnage, Domestic | |
| | | | (vi) Master 500 Gross Tonnage (vii) Master, 500 Gross Tonnage, Near Coastal (viii) Chief Mate (ix) Chief Mate, Near Coastal (x) Master, 500 Gross Tonnage, Domestic | |
| | | Vessel less than 24 metres in length | (i) Master Mariner (ii) Master, Near Coastal (iii) Master 3 000 Gross Tonnage (iv) Master 3 000 Gross Tonnage, Near Coastal (v) Master 3 000 Gross Tonnage, Domestic (vi) Master 500 Gross Tonnage (vii) Master, 500 Gross Tonnage, Near Coastal (viii) Chief Mate (ix) Chief Mate, Near Coastal (x) Master, 500 Gross Tonnage, Domestic (xi) Master, Vessel of Less than 24 Metres in Length, Domestic | |
| | | | Vessel less than 18 metres in length | (i) Master Mariner (ii) Master, Near Coastal |

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| Column 1 | Column 2 | Column 3 |
|---------------|--------------------------------------|--|
| Item Position | Vessel | Certificate of Competency |
| | | (iii) Master 3 000 Gross Tonnage |
| | | (iv) Master 3 000 Gross Tonnage, Near Coastal |
| | | (v) Master 3 000 Gross Tonnage, Domestic |
| | | (vi) Master 500 Gross Tonnage |
| | | (vii) Master, 500 Gross Tonnage, Near Coastal |
| | | (viii) Chief Mate |
| | | (ix) Chief Mate, Near Coastal |
| | | (x) Master, 500 Gross Tonnage, Domestic |
| | | (xi) Master, Vessel of Less than 24 Metres in Length, Domestic |
| | | (xii) Watchkeeping Mate |
| | | (xiii) Watchkeeping Mate, Near Coastal |
| | | (xiv) Chief Mate, 500 Gross Tonnage, Domestic |
| | | (xv) Fishing Master, Unlimited Waters |
| | | (xvi) Fishing Master, Limited Waters |
| | | (xvii) Fishing Officer, Unlimited Waters |
| | | (xviii) Fishing Officer, Limited Waters |
| | | (xix) Fishing Master, 24 Metres, Limited Waters |
| | Vessel less than 12 metres in length | (i) Master Mariner |
| | | (ii) Master, Near Coastal |
| | | (iii) Master 3 000 Gross Tonnage |
| | | (iv) Master 3 000 Gross Tonnage, Near Coastal |
| | | (v) Master 3 000 Gross Tonnage, Domestic |
| | | (vi) Master 500 Gross Tonnage |
| | | (vii) Master, 500 Gross Tonnage, Near Coastal |
| | | (viii) Chief Mate |
| | | (ix) Chief Mate, Near Coastal |
| | | (x) Master, 500 Gross Tonnage, Domestic |
| | | (xi) Master, Vessel of Less than 24 Metres in Length, Domestic |
| | | (xii) Watchkeeping Mate |
| | | (xiii) Watchkeeping Mate, Near Coastal |

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| Column 1 | Column 2 | Column 3 |
|---------------|---|--|
| Item Position | Vessel | Certificate of Competency |
| | | (xiv) Chief Mate, 500 Gross Tonnage, Domestic |
| | | (xv) Fishing Master, Unlimited Waters |
| | | (xvi) Fishing Master, Limited Waters |
| | | (xvii) Fishing Officer, Unlimited Waters |
| | | (xviii) Fishing Officer, Limited Waters |
| | | (xix) Fishing Master, 24 Metres, Limited Waters |
| | | (xx) Chief Mate, Vessel of Less than 24 Metres, Domestic |
| 2 | Chief mate | |
| | Vessel of more than 3 000 gross tonnage | (i) Chief Mate |
| | | (ii) Chief Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Master, 500 Gross Tonnage, Near Coastal |
| | | (ii) Chief Mate |
| | | (iii) Chief Mate, Near Coastal |
| | | (iv) Watchkeeping Mate |
| | | (v) Watchkeeping Mate, Near Coastal |
| | | (vi) Master, 500 Gross Tonnage, Domestic |
| | Vessel of not more than 500 gross tonnage | (i) Master, 500 Gross Tonnage, Near Coastal |
| | | (ii) Chief Mate |
| | | (iii) Chief Mate, Near Coastal |
| | | (iv) Watchkeeping Mate |
| | | (v) Watchkeeping Mate, Near Coastal |
| | | (vi) Master, 500 Gross Tonnage, Domestic |
| | | (vii) Chief Mate, 500 Gross Tonnage, Domestic |
| 3 | Deck officer in charge of the watch | |
| | Vessel of more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | | (iii) Chief Mate, 500 Gross Tonnage, Domestic |
| 4 | Deck watch rating | |
| | Vessel of more than 500 gross tonnage | (i) Bridge Watch Rating |
| | | (ii) Able Seafarer Deck |

Exception — Master — 18 Metres in Length or More

(2) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of not less than 18 metres in length may hold the certificate Master, Limited for a Vessel of 18 Metres in Length or More if

- (a) the vessel is not more than 3 000 gross tonnage and its name is specified on the certificate of competency;
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency; and
- (c) the vessel is engaged on a voyage in minor waters of Canada, within the meaning of the *Minor Waters Order*.

Exception — Master — less than 18 Metres in Length

(3) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of less than 18 metres in length may hold the certificate Master, Limited for a Vessel of less than 18 Metres in Length if

- (a) the name of the vessel is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Exception — Master — Small Vessel Operator

(4) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of not more than 12 metres in length overall may hold

- (a) the Small Vessel Operator Certificate if the vessel does not carry passengers and is not a tug;
- (b) the Small Vessel Operator Certificate with a Passenger Vessel endorsement, if the vessel carries passengers and is not a tug;
- (c) the Small Vessel Operator Certificate with a Tug endorsement, if the vessel is a tug that does not carry passengers and whose operations are limited to the area specified on the endorsement;
- (d) the Small Vessel Operator Certificate with a Passenger Vessel endorsement and a Tug endorsement, if the vessel is a tug that does carry passengers and whose operations are limited to the area specified on the endorsement.

Exception — Master — Pleasure Craft Operator Card

(5) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel that is not more than 8.5 m in length overall may hold the Pleasure Craft Operator Card if

- (a) the vessel is not a tug and does not carry passengers; and

- (b) the vessel is engaged on a voyage of not more than 2 nautical miles from shore.

Exception — Chief Mate — Less than 24 Metres, Domestic

- (6) Despite the requirements set out in subsection (1), a person who occupies the position of chief mate on board a vessel of less than 24 metres in length may hold the certificate Chief Mate, Vessel of Less than 24 Metres, Domestic.

Exception — Chief Mate — 18 Metres in Length or More

- (7) Despite the requirements set out in subsection (1), a person who occupies the position of chief mate on board a vessel of not less than 18 metres in length may hold the certificate Chief Mate, Limited for a Vessel of 18 metres in length or more if

- (a) the vessel is not more than 3 000 gross tonnage and its name is specified on the certificate of competency;
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency; and
- (c) the vessel is engaged on a voyage in minor waters of Canada, within the meaning of the *Minor Waters Order*.

Exception — Chief Mate — Less than 18 Metres in Length

- (8) Despite the requirements set out in subsection (1), a person who occupies the position of chief mate on board a vessel of less than 18 metres in length may hold the certificate Chief Mate, Limited for a Vessel of Less than 18 Metres in Length if

- (a) the name of the vessel is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Exception — Activities tied to fishing

- (9) Despite the requirements of subsection (1), the person who occupies a position set out in column 1 of an item of the table to subsection (1) on board a vessel of 24 metres or more in length may hold one of the certificates set out in column 3 of an item of table to subsection 3082(1) or 3083(1) for a fishing vessel of 24 metres or more in length, if

- (a) the vessel is engaged on a ***limited, contiguous waters voyage***, as defined in the Schedule 1; and
- (b) the sole activity of the vessel is in respect of the catch or harvest of fish or other living marine resources of another vessel or aquaculture facility.

Sheltered waters voyage

3032 (1) While on board a vessel that is engaged on a sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the vessel is of a category set out in column 2 of that item, must hold one of the certificates of competency set out in column 3 of that item.

Sheltered Waters Voyage

| Column 1 | Column 2 | Column 3 |
|---------------|---|--|
| Item Position | Vessel | Certificates of Competency and other documents |
| 1 Master | Vessel of more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Master Mariner (ii) Master, Near Coastal (iii) Master, 3 000 Gross Tonnage (iv) Master, 3 000 Gross Tonnage, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate (viii) Chief Mate, Near Coastal (ix) Master 3 000 Gross Tonnage, Domestic |
| | Vessel of not more than 3 000 gross tonnage | <ul style="list-style-type: none"> (i) Master Mariner (ii) Master, Near Coastal (iii) Master, 3 000 Gross Tonnage (iv) Master, 3 000 Gross Tonnage, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate (viii) Chief Mate, Near Coastal (ix) Master 3 000 Gross Tonnage, Domestic (x) Master, 500 Gross Tonnage, Domestic |
| | Vessel of not more than 500 gross tonnage | <ul style="list-style-type: none"> (i) Master Mariner (ii) Master, Near Coastal (iii) Master, 3 000 Gross Tonnage (iv) Master, 3 000 Gross Tonnage, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate |

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| Column 1 | Column 2 | Column 3 |
|---------------|--|--|
| Item Position | Vessel | Certificates of Competency and other documents |
| | Vessel of not more than 18 metres in length | <ul style="list-style-type: none"> (viii) Chief Mate, Near Coastal (ix) Master 3 000 Gross Tonnage, Domestic (x) Master, 500 Gross Tonnage, Domestic (xi) Master, Vessel of Less Than 24 Metres, Domestic (i) Master Mariner (ii) Master, Near Coastal (iii) Master, 3 000 Gross Tonnage (iv) Master, 3 000 Gross Tonnage, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate (viii) Chief Mate, Near Coastal (ix) Master 3 000 Gross Tonnage, Domestic (x) Master, 500 Gross Tonnage, Domestic (xi) Master, Vessel of Less Than 24 Metres, Domestic (xii) Watchkeeping Mate (xiii) Watchkeeping Mate, Near Coastal (xiv) Chief Mate, 500 Gross Tonnage, Domestic (xv) Fishing Master, Unlimited Waters (xvi) Fishing Master, Limited Waters (xvii) Fishing Officer, Unlimited Waters (xviii) Fishing Officer, Limited Waters (xix) Fishing Master, 24 Metres, Limited Waters |
| | Vessel less than 12 metres in length overall | <ul style="list-style-type: none"> (i) Master Mariner (ii) Master, Near Coastal (iii) Master, 3 000 Gross Tonnage (iv) Master, 3 000 Gross Tonnage, Near Coastal (v) Master, 500 Gross Tonnage (vi) Master, 500 Gross Tonnage, Near Coastal (vii) Chief Mate |

FOR PUBLIC CONSULTATION ONLY

| Column 1 | Column 2 | Column 3 |
|---------------|---|--|
| Item Position | Vessel | Certificates of Competency and other documents |
| | | (viii) Chief Mate, Near Coastal |
| | | (ix) Master 3 000 Gross Tonnage, Domestic |
| | | (x) Master, 500 Gross Tonnage, Domestic |
| | | (xi) Master, Vessel of Less Than 24 Metres, Domestic |
| | | (xii) Watchkeeping Mate |
| | | (xiii) Watchkeeping Mate, Near Coastal |
| | | (xiv) Chief Mate, 500 Gross Tonnage, Domestic |
| | | (xv) Fishing Master, Unlimited Waters |
| | | (xvi) Fishing Master, Limited Waters |
| | | (xvii) Fishing Officer, Unlimited Waters |
| | | (xviii) Fishing Officer, Limited Waters |
| | | (xix) Fishing Master, 24 Metres, Limited Waters |
| | | (xx) Chief Mate, Vessel of Less Than 24 Metres, Domestic |
| 2 | Chief mate | |
| | Vessel of more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | | (iii) Chief Mate, 500 Gross Tonnage, Domestic |
| | Vessel of not more than 500 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | | (iii) Chief Mate, 500 Gross Tonnage, Domestic |
| | | (iv) Chief Mate, Vessel of Less Than 24 Metres, Domestic |
| 3 | Deck officer in charge of the watch | |
| | Vessel of more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | Vessel of not more than 3 000 gross tonnage | (i) Watchkeeping Mate |
| | | (ii) Watchkeeping Mate, Near Coastal |
| | | (iii) Chief Mate, 500 Gross Tonnage, Domestic |
| 4 | Deck watch rating | |
| | Vessel of 500 Gross Tonnage or More | (i) Bridge Watch Rating |
| | | (ii) Able Seafarer Deck |

Exception — Master — 18 Metres in Length or More

(2) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of not less than 18 metres in length may hold the certificate Master, Limited for a Vessel of 18 Metres in Length or More if

- (a) the vessel is not more than 3 000 gross tonnage and its name is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Exception — Master — less than 18 Metres in Length

(3) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of less than 18 metres in length may hold the certificate Master, Limited for a Vessel of less than 18 Metres in Length if

- (a) the name of the vessel is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Exception — Master — Small Vessel Operator

(4) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel of not more than 12 metres in length overall may hold

- (a) the Small Vessel Operator Certificate if the vessel does not carry passengers and is not a tug;
- (b) the Small Vessel Operator Certificate with a Passenger Vessel endorsement, if the vessel carries passengers and is not a tug;
- (c) the Small Vessel Operator Certificate with a Tug endorsement, if the vessel is a tug that does not carry passengers and whose operations are limited to the area specified on the endorsement;
- (d) the Small Vessel Operator Certificate with a Passenger Vessel endorsement and a Tug endorsement, if the vessel is a tug that does carry passengers and whose operations are limited to the area specified on the endorsement.

Exception — Master — Pleasure Craft Operator Card

(5) Despite the requirements set out in subsection (1), a person who occupies the position of master on board a vessel that is not more than 8.5 m in length overall may hold the Pleasure Craft Operator Card if the vessel

- (a) is not a tug; and

- (b) does not carry more than six passengers.

Exception — Chief Mate — 18 metres or more

(6) Despite the requirements set out in subsection (1), a person who occupies the position of chief mate on board a vessel of not less than 18 metres in length may hold the certificate Chief Mate, Limited for a Vessel of 18 Metres in Length if

- (a) the name of the vessel is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Exception — Chief Mate — less than 18 Metres

(7) Despite the requirements set out in subsection (1), a person who occupies the position of chief mate on board a vessel of less than 18 metres in length may hold the certificate Chief Mate, Limited for a Vessel of less than 18 Metres in Length if

- (a) the name of the vessel is specified on the certificate of competency; and
- (b) the operation of the vessel is limited to the area and, if applicable, to the period of operation specified on the certificate of competency.

Radio Operator Certificate

3033 In addition to having to hold the certificates of competency or other documents required by sections 3028 to 3032, if a vessel is equipped with a VHF radiotelephone installation, the persons occupying the following positions must hold the radio operator certificate that is required by these Regulations to perform the radio watch:

- (a) master;
- (b) chief mate; and
- (c) officer in charge of the watch.

Alternative Documents and Dispensations

Ranking of certificates of competency

3034 Despite the requirements of sections 3028 to 3032, instead of having to hold a certificate of competency required by those sections

- (a) a person who occupies the position of chief mate on board a vessel may hold a document that, under that section, may be held to occupy the position of master on board the same vessel while engaged on the same type of voyage;

(b) a person who occupies the position of deck officer in charge of the watch may hold a document that, under that section, may be held to occupy the position of master or chief mate on board the same vessel while engaged on the same type of voyage; and

(c) a person who occupies the position of deck watch rating may hold a document that, under that section, may be held to occupy the position of master, chief mate or deck officer in charge of the watch on board the same vessel while engaged on the same type of voyage.

Additional person or person in training

3035 Despite sections 3028 to 3032, any additional person who is assigned to a navigational watch team or any person who is on training while assigned to such a team is not required to hold one of the certificates or other documents required by these Regulations for the functions they are performing if the person is supervised by a person who holds the certificate or other document required by these Regulations.

Former Certificates and Other Documents

Master

3036 (1) Despite sections 3028 to 3032 and subject to any limitation set out on the certificate of competency or document, the holder of a previous certificate of competency or document that is still valid and is set out in column 1 of an item of Part 1 of Schedule 1 to this Part may occupy the position of master on board a vessel set out in column 2 of that item, subject to any conditions set out in column 3 of that item, without having to hold a Canadian maritime document required for that position under sections 3028 to 3032, unless a new certificate or document was delivered under section 1038 in respect of the previous certificate or document, in which case the person may hold this certificate or document to occupy that position subject to the same conditions that are set out in column 3 for the previous corresponding certificate or document set out in column 1 of the table and for the vessels set out in column 2.

Chief mate

(2) Despite sections 3028 to 3032 and subject to any limitation set out on the certificate of competency or document, the holder of a previous certificate of competency or document that is still valid and is set out in column 1 of an item of Part 2 of Schedule 1 to this Part may occupy the position of chief mate on board a vessel set out in column 2 of that item, subject to any conditions set out in column 3 of that item without having to hold a Canadian maritime document required for that position under sections 3028 to 3032, unless a new certificate or document was delivered under section 1038 in respect of the previous certificate or document, in which case the person may hold this certificate or document to occupy that position subject to the same conditions that are set out in column 3 for the previous corresponding certificate or document set out in column 1 of the table and for the vessels set out in column 2.

Deck watch officer

(3) Despite sections 3028 to 3032 and subject to any limitation set out on the certificate of competency or document, the holder of a previous certificate of competency or document that is

still valid and is set out in column 1 of an item of Part 3 of Schedule 1 to this Part may occupy the position of deck watch officer on board a vessel set out in column 2 of that item, subject to any conditions set out in column 3 of that item without having to hold a Canadian maritime document required for that position under sections 3028 to 3032, unless a new certificate or document was delivered under section 1038 in respect of the previous certificate or document, in which case the person may hold this certificate or document to occupy that position subject to the same conditions that are set out in column 3 for the previous corresponding certificate or document set out in column 1 of the table and for the vessels set out in column 2.

SCHEDULE 1

(Section 3036)

Former Certificates and Other Documents

1 The following definitions apply in this Schedule:

inland voyage means a voyage on the inland waters of Canada together with any part of any lake or river forming part of the inland waters of Canada that lies within the United States or a voyage on Lake Michigan. (*voyage en eaux internes*)

inland waters of Canada means all the rivers, lakes and other navigable fresh waters within Canada, and includes the St. Lawrence River as far seaward as a straight line drawn

- (a) from Cap-des-Rosiers to West Point, Anticosti Island; and
- (b) from Anticosti Island to the north shore of the St. Lawrence River along the meridian of longitude 63° W. (*eaux internes du Canada*)

limited, contiguous waters voyage means a near coastal voyage, Class 1 limited to the waters contiguous to Canada, the United States (except Hawaii) and Saint Pierre and Miquelon. (*voyage limité en eaux contiguës*)

Part 1

Master

| Column 1 | Column 2 | Column 3 | |
|----------|---|---|---|
| Item | Previous certificate of Competency or other Document | Vessel | Conditions |
| 1 | Master 500 Gross Tonnage, Near Coastal with a Limited Contiguous Waters Voyage endorsement in respect of a tug of up to 3 000 gross tonnage | Vessel of up to 500 gross tonnage Tug of up to 3 000 gross tonnage | Vessel engaged on a near coastal voyage, Class 1, or a near coastal voyage, Class 2 Tug engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage, or on a near coastal voyage, Class 2 |
| | | Any vessel | Vessel engaged on a sheltered waters voyage |

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| Item | Column 1 Previous certificate of Competency or other Document | Column 2 Vessel | Column 3 Conditions |
|------|---|--|---|
| 2 | Master, Ship of not More Than 350 Tons, Gross Tonnage, or Tug, Home Trade Voyage | Vessel of up to 350 gross tonnage, other than a tug, Tug | Vessel engaged on a near coastal voyage, Class 1, a near coastal voyage, Class 2 or a sheltered waters voyage Tug engaged on a near coastal voyage, Class 1, a near coastal voyage, Class 2 or a sheltered waters voyage |
| 3 | Master 500 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage endorsement | Vessel of up to 500 gross tonnage | Vessel engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage |
| 4 | Master 150 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage endorsement | Vessel of up to 150 gross tonnage Vessel of up to 500 gross tonnage | Vessel engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage or on a near coastal voyage, Class 2 Vessel engaged on a near coastal voyage, Class 2 or a sheltered waters voyage |
| 5 | Master, Inland Waters | Any vessel | Vessel engaged on an inland voyage |
| 6 | Master, Ship of not More Than 350 tons, Gross Tonnage, or Tug, Inland Waters Voyage | Any tug Vessel of up to 350 gross tonnage other than a tug | Tug engaged on an inland voyage Vessel engaged on a sheltered waters voyage |
| 7 | Master of a steamship of not more than 350 tons, gross tonnage | Vessel of up to 350 gross tonnage | Vessel engaged on a near coastal voyage, Class 1, a near coastal voyage, Class 2 or a sheltered waters voyage |
| 8 | Master, Long Run Ferry | Any ferry | Ferry engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage, on a near coastal voyage, Class 2 or on a sheltered waters voyage |
| 9 | Master, Intermediate Run Ferry | Any ferry | Ferry engaged on a near coastal voyage, Class 2 or a sheltered waters voyage between terminals, where the distance between terminals is not more than 7 nautical miles |
| 10 | Master, Short Run Ferry | Any ferry | Ferry engaged on sheltered waters voyage between terminals, where the distance between terminals is not more than 2 nautical miles between terminals |
| 11 | Small Vessel Operator Proficiency training certificate | Vessel, other than a tug, not more than 5 gross tonnage | Vessel on a near coastal voyage, Class 2 or a sheltered waters voyage |
| 12 | Certificate of service as Master of a fishing vessel of not more than 100 gross tonnage | Vessel of not more than 100 gross tonnage | Vessel of not more than 18 metres in length engaged on a near coastal voyage, Class 2 or a sheltered waters voyage |
| 13 | Certificate of service as Master of a Fishing Vessel of Less than 60 Gross Tonnage | Vessel of less than 60 gross tonnage, | Vessel of not more than 12 metres in length engaged on a near coastal voyage, Class 2 or a sheltered waters voyage |
| 14 | Fishing Master, Second Class | Vessel of less than 18 metres in length overall | Vessel engaged on a near coastal voyage, Class 2 or a sheltered waters voyage |

| | Column 1 | Column 2 | Column 3 |
|------|--|--|--|
| Item | Previous certificate of Competency or other Document | Vessel | Conditions |
| 15 | Fishing Master, Fourth Class | Vessel of less than 18 metres in length overall | Vessel engaged on a near coastal voyage, Class 2 or a sheltered waters voyage |
| 16 | Master 500 Gross Tonnage, Near Coastal with Tug 3000 Gross Tonnage, Near Coastal endorsement | Vessel of up to 500 gross tonnage Tug up of to 3000 gross tonnage | Vessel engaged on a near coastal voyage, Class 2 that is also a limited contiguous waters voyage Tug engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage, or on a near coastal voyage, Class 2 Vessel engaged on a sheltered waters voyage |

Part 2**Chief Mate**

| | Column 1 | Column 2 | Column 3 |
|------|--|--|---|
| Item | Previous certificate of Competency or other Document | Vessel | Conditions |
| 1 | Master 500 Gross Tonnage, Near Coastal with a Limited Contiguous Waters Voyage endorsement | Vessel of up to 3 000 gross tonnage | Vessel engaged on a near coastal voyage, Class 1, a near coastal voyage Class 2 or a sheltered waters voyage |
| 2 | Master 500 Gross Tonnage, Domestic with a Limited Contiguous Waters voyage endorsement | Vessel of up to 3 000 gross tonnage | Vessel engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage or on a near coastal voyage, Class 2 or on a sheltered waters voyage |
| 3 | Chief Mate 500 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage endorsement | Vessel of up to 500 gross tonnage Vessel of up to 3 000 gross tonnage | Vessel engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage or on a near coastal voyage, Class 2 Vessel engaged on a sheltered waters voyage |
| 4 | Chief Mate 150 Gross Tonnage, Domestic with a Limited Contiguous Waters Voyage endorsement | Vessel of up to 150 gross tonnage Vessel of up to 500 gross tonnage | Vessel engaged on a near coastal voyage, Class 1 that is also a limited, contiguous waters voyage or on a near coastal voyage, Class 2 Vessel engaged on a sheltered waters voyage |
| 5 | First Mate, Inland Waters | Any vessel | Vessel engaged on an inland voyage |
| 6 | First Mate, Long Run Ferry | Any ferry | Ferry engaged on a near coastal voyage, Class 1 that is a limited, contiguous waters voyage, on a near coastal voyage, Class 2 or on a sheltered waters voyage |
| 7 | First Mate, Intermediate Run Ferry | Any ferry | Ferry engaged on a near coastal voyage, Class 1, near coastal voyage, Class 2 or sheltered waters voyage between terminals , where the distance between terminals is not more than 7 nautical miles |
| 8 | First Mate, Short Run Ferry | Any ferry | Ferry engaged on a near coastal voyage, Class 1, near coastal voyage, Class 2 or sheltered waters voyage between terminals , |

| Column 1 | Column 2 | Column 3 |
|----------|--|--|
| Item | Previous certificate of Competency or other Document | Vessel |
| | | Conditions |
| | | where the distance between terminals is not more than 2 nautical miles |

Part 3**Officer in Charge of the Deck Watch**

| Column 1 | Column 2 | Column 3 |
|----------|--|--|
| Item | Previous certificate of Competency or other Document | Vessel |
| | | Conditions |
| 1 | Second Mate, Inland Waters | Any vessel |
| | | Vessel engaged on an inland voyage |
| 2 | Chief Mate 500 Gross Tonnage, Domestic with a Limited contiguous waters voyage endorsement | Vessel of up to 3 000 gross tonnage |
| | | Vessel engaged on a near coastal voyage, Class 2 |

Engine Department**Application**

3037 (1) Sections 3038 to 3048 do not apply in respect of

- (a) vessels of less than 5 gross tonnage;
- (b) vessels of open construction; and
- (c) vessels propelled by outboard engines.

Interpretation

(2) For the purposes of subsection (1), **vessels of open construction** means a vessel of which less than 50% of the length is covered full width, at or above the gunwale level, by decks or permanent enclosures.

Vessel's propulsion type

3038 For the purposes of sections 3040 to 3045, an engineering certificate of competency is only valid for service on a vessel of the type that is indicated on the certificate.

STCW Engineering certificates — Ranking

3039 For the purposes of sections 3040 to 3045, the engineering certificates of competency are listed below in decreasing order of the level of competency acquired by its holder, the holder of the higher certificate being entitled to occupy a position that requires, according to the tables to those provisions, any of the lower certificates:

- (a) Chief Engineer;

- (b) Chief Engineer less than 6 000 kW Propulsion Power, Near Coastal;
- (c) Second Engineer;
- (d) Chief Engineer less than 3 000 kW Propulsion Power;
- (e) Second Engineer less than 3 000 kW Propulsion Power;
- (f) Engineer in Charge of the Watch;
- (g) Engineer in Charge of the Watch — restricted voyage;
- (h) Able Seafarer Engine;
- (i) Engine-room Rating.

Unlimited Voyage

3040 While on board a vessel that is engaged on an unlimited voyage, a person who occupies a position set out in column 1 of an item of the table to this section must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Unlimited Voyage

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|---|-----------------------------------|--|
| 1 | Chief engineer officer | 3 000 and more | Chief Engineer |
| | | 750 to less than 3 000 | Chief Engineer less than 3000 kW Propulsion Power |
| 2 | Second engineer officer | 3 000 and more | Second Engineer |
| | | 750 to less than 3 000 | Second Engineer less than 3000 kW Propulsion Power |
| 3 | Officer in charge of an engineering watch | 750 and more | Engineer in Charge of the Watch |
| 4 | Engine Rating | 750 and more | Engine-room Rating |

Near Coastal voyage, class 1 that is not a voyage in domestic waters

3041 (1) While on board a vessel that is engaged on a Near Coastal voyage, class 1, that is not a voyage in domestic waters a person who occupies a position set out in column 1 of an item of the table to this section must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal voyage, class 1 that is not a voyage in domestic waters

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|---|-----------------------------------|---|
| 1 | Chief Engineer Officer | 6 000 and more | Chief Engineer |
| | | 3 000 to less than 6 000 | Chief Engineer less than 6 000 kW Propulsion Power |
| | | 750 to less than 3 000 | Chief Engineer less than 3 000 kW Propulsion Power |
| 2 | Second Engineer Officer | 3 000 and more | Second Engineer |
| | | 750 to less than 3 000 | Second Engineer less than 3 000 kW Propulsion Power |
| 3 | Officer in Charge of an Engineering Watch | 750 and more | Engineer in Charge of the Watch |
| 4 | Engine Rating | 750 and more | Engine-room Rating |

Engineer in charge of the watch – Restricted voyage certificate

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of officer in charge of an engineering watch may hold the Engineer in charge of the watch – restricted voyage certificate of competency if

- (a) the vessel is never more than 200 nautical miles from shore; and
- (b) the voyage is between places in Canada, the United States (except Hawaii) or Saint-Pierre and Miquelon.

Near Coastal Voyage, Class 1 that is a voyage in domestic waters

3042 While on board a vessel that is engaged on a Near Coastal Voyage, Class 1 that is a voyage in domestic waters, a person who occupies a position set out in column 1 of an item of the table to this section must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 1 that is a voyage in domestic waters

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|---|-----------------------------------|---|
| 1 | Chief engineer officer | 7 000 and more | Chief Engineer |
| | | 3 000 to less than 7 000 | Second Engineer |
| | | 750 to less than 3 000 | Second Engineer less than 3 000 kW Propulsion Power |
| 2 | Second engineer officer | 7 000 and more | Second Engineer |
| | | 750 to less than 7 000 | Engineer in Charge of the Watch — Restricted voyage |
| 3 | Officer in charge of an engineering watch | 750 and more | Engineer in Charge of the Watch — Restricted voyage |

Near Coastal voyage, class 2

3043 (1) Subject to subsection (6), while on board a vessel that is engaged on a Near Coastal voyage, class 2, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal voyage, class 2

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|---|-----------------------------------|---|
| 1 | Chief engineer officer | 7 000 and more | Chief Engineer |
| | | 4 000 to less than 7 000 | Chief Engineer less than 3 000 kW Propulsion Power |
| | | 2 000 to less than 4 000 | Second Engineer less than 3 000 kW Propulsion Power |
| | | 750 to less than 2 000 | Engineer in Charge of the Watch — Restricted voyage |
| 2 | Second engineer officer | 7 000 and more | Second Engineer less than 3 000 kW Propulsion Power |
| | | 750 to less than 7 000 | Engineer in Charge of the Watch — Restricted voyage |
| 3 | Officer in charge of an engineering watch | 750 and more | Engineer in Charge of the Watch — Restricted voyage |

Small Vessel Machinery Operator certificate

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of Chief Engineer Officer, Second Engineer Officer or Officer in Charge of an Engineering Watch on board a tug with propulsive power of at least 750 kW but less than 2 000 kW may hold the Small Vessel Machinery Operator certificate of competency instead of the certificate required in that table if

- (a) the tug has a propulsion system that
 - (i) is controlled from the steering position, which must include the necessary gauges, alarms and engine and emergency controls,
 - (ii) consists of two independent engines, each having its own control and fuel systems, and
 - (iii) allows for continued propulsion and steering should one engine fail; and
- (b) the tug has a communications system that allows radio contact to be maintained with a responsible person ashore.

Exception

- (3) Subsection (2) does not apply to a tug that
 - (a) uses low flashpoint fuels, or heated oil as fuel;
 - (b) has an electrical power system of 600 volts or more;
 - (c) has a boiler or steam generator generating a steam working pressure over 101.3 kPa;

- (d) is equipped with a thermal oil heating system; or
- (e) is an oil tanker, a chemical tanker or a liquefied gas tanker.

Obligations of authorized representative

(4) The authorized representative of the tug must not allow a person who holds an Small Vessel Machinery Operator certificate to occupy a position of chief engineer officer, Second Engineer Officer or Officer in Charge of an Engineering Watch under subsection (2), unless the authorized representative

- (a) provides to the person who holds the certificate a list of procedures and verifications to be carried out before each departure, during service and at the end of operations;
- (b) ensures that the departure procedures and verifications are carried out by the person who holds the certificate;
- (c) ensures that records of the procedures and verifications that have been carried out are readily available for inspection, on board the tug;
- (d) establishes a maintenance schedule of the main engines that meets the recommendations of the manufacturer;
- (e) ensures that the maintenance of the main engines is carried out by
 - (i) an engineer who holds at least an Engineer in Charge of the Watch certificate, or
 - (ii) a service firm accredited by the manufacturer of the main engines with which the authorized representative has entered into a maintenance contract; and
- (f) ensures that a record of the maintenance of the main engines is maintained.

Records

(5) The authorized representative of a tug must keep the records referred to in this section for five years after the day on which the record was created.

Exception

(6) Despite subsections (1) to (5), the requirements set out in sections 3044 and 3045 apply to a person who occupies a position on board a vessel that is engaged on a Near Coastal voyage, Class 2, if the vessel is operated in an area specified on the minimum safe manning document.

Sheltered waters voyage

3044 (1) While on board a vessel, other than a tug, that is engaged on a sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Sheltered Waters Voyage, other than a Tug

| Item | Column 1 Position | Column 2 Propulsion Power kW | Column 3 Certificate (STCW) |
|------|---|--|---|
| 1 | Chief engineer officer | 5 000 and more 2 000 to less than 5 000 750 to less than 2 000 | Second Engineer Second Engineer less than 3 000 kW Propulsion Power Engineer in Charge of the Watch — Restricted voyage |
| 2 | Second engineer officer | 750 and more | Engineer in Charge of the Watch — Restricted voyage |
| 3 | Officer in charge of an engineering watch | 750 and more | Engineer in Charge of the Watch — Restricted voyage |
| 4 | Engine rating | 750 and more | None required |

Small Vessel Machinery Operator

(2) Despite the requirements of subsection (1), a person who occupies the position of Chief Engineer Officer, Second Engineer Officer or Officer in Charge of an Engineering Watch on board a vessel with propulsive power of at least 750 kW but less than 2000 kW may hold the Small Vessel Machinery Operator certificate instead of the certificate required in that table if

- (a) the vessel is not more than six hours from its home base at the vessel's maximum service speed;
- (b) the vessel has a propulsion system that
 - (i) is controlled from the steering position, which must include the necessary gauges, alarms and engine and emergency controls,
 - (ii) consists of two independent engines, each having its own control and fuel systems, and
 - (iii) allows for continued propulsion and steering should one engine fail; and
- (c) the vessel has a communications system that allows radio contact to be maintained with a responsible person ashore.

Exception

- (3) Subsection (2) does not apply to a vessel that
- (a) uses low flashpoint fuels or heated oil as fuel;
 - (b) has an electrical power system of 600 volts or more;
 - (c) has a boiler or a steam generator generating a steam working pressure over 101.3 kPa;
 - (d) is equipped with a thermal oil heating system; or
 - (e) is an oil tanker, a chemical tanker or a liquified gas tanker.

Obligations of authorized representative

(4) The authorized representative of the vessel must not allow a person who holds a Small Vessel Machinery Operator certificate to occupy a position of chief engineer officer, second engineer officer or officer in charge of an engineering watch under subsection (2), unless the authorized representative

- (a) provides a list of procedures and verifications to be carried out before each departure, during service and at the end of operations is provided to the person who holds the certificate;
- (b) ensures that the departure procedures and verifications are carried out by the person who holds the certificate;
- (c) ensures that records of the procedures and verifications that has been carried out are readily available for inspection, on board the vessel;
- (d) establishes a maintenance schedule of the main engines that meets the recommendations of the manufacturer;
- (e) ensures that the maintenance of the main engines is carried out by
 - (i) an engineer who holds at least an Engineer in Charge of the Watch certificate, or
 - (ii) a service firm accredited by the manufacturer of the main engines with which the authorized representative has entered into a maintenance contract; and
- (f) ensures that a record of the maintenance of the main engines is maintained.

Records

(5) The authorized representative of a vessel must keep the records referred to in this section for five years after the day on which the record was created.

Sheltered Waters Voyage — Tugs

3045 (1) While on board a tug that is engaged on a sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the tug is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Sheltered Waters, Tugs Only

| Item | Column 1 Position | Column 2 Propulsion Power kW | Column 3 Certificate (STCW) |
|------|---|---------------------------------|---|
| 1 | Chief engineer officer | 5 000 and more | Second Engineer |
| | | 3 000 to less than 5 000 | Second Engineer less than 3 000 kW Propulsion Power |
| | | 1 500 to less than 3 000 | Engineer in Charge of the Watch — Restricted voyage |
| 2 | Second engineer officer | 1 500 and more | Engineer in Charge of the Watch — Restricted voyage |
| 3 | Officer in charge of an engineering watch | 1 500 and more | Engineer in Charge of the Watch — Restricted voyage |

| Item | Column 1 Position | Column 2 Propulsion Power kW | Column 3 Certificate (STCW) |
|------|------------------------|---------------------------------|--------------------------------|
| 1 | Chief engineer officer | 5 000 and more | Second Engineer |
| 4 | Engine rating | 1 500 and more | None required |

Small Vessel Machinery Operator

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of chief engineer officer, second engineer officer or officer in charge of an engineering watch on board a tug with propulsive power of at least 1 500 kW but less than 3 000 kW that is engaged on a sheltered waters voyage may hold the Small Vessel Machinery Operator certificate instead of the certificate required in that table if

- (a) the tug is not more than six hours from its home base at the vessel's maximum service speed;
- (b) the tug has a propulsion system that
 - (i) is controlled from the steering position, which includes the necessary gauges, alarms and engine and emergency controls,
 - (ii) consists of two independent engines, each having its own control and fuel systems, and
 - (iii) allows for continued propulsion and steering should one engine fail; and
- (c) the tug has a communications system that allows radio contact to be maintained with a responsible person ashore.

Exception

- (3) Subsection (2) does not apply to a tug that
- (a) uses low flashpoint fuels or heated oil as fuel;
 - (b) has an electrical power system of 600 volts or more;
 - (c) has a boiler or a steam generator generating a steam working pressure over 101.3 kPa; or
 - (d) is equipped with a thermal oil heating system.

Obligations of authorized representative

(4) The authorized representative of the tug must not allow a person who holds an Small Vessel Machinery Operator certificate to occupy a position of chief engineer officer, second engineer officer or officer in charge of an engineering watch under subsection (2), unless the authorized representative

- (a) provides a list of procedures and verifications to be carried out before each departure, during service and at the end of operations is provided to the person who holds the certificate;

- (b) ensures that the departure procedures and verifications are carried out by the person who holds the certificate;
- (c) ensures that records of the procedures and verifications that has been carried out are readily available for inspection, on board the tug;
- (d) establishes a maintenance schedule of the main engines that meets the recommendations of the manufacturer;
- (e) ensures that the maintenance of the main engines is carried out by
 - (i) an engineer who holds at least an Engineer in Charge of the Watch certificate, or
 - (ii) a service firm accredited by the manufacturer of the main engines with which the authorized representative has entered into a maintenance contract; and
- (f) ensures that a record of the maintenance of the main engines is maintained.

Harbour tug

- (5) Despite the requirements of subsection (1), a person who occupies the position of chief engineer officer, second engineer officer or officer in charge of an engineering watch on board a harbour tug of less than 500 gross tonnage with propulsive power of at least 3 000 kW but less than 5 000 kW may hold the Small Vessel Machinery Operator certificate instead of the certificates required in column 3 of that table if
- (a) the harbour tug does not carry passengers;
 - (b) the harbour tug is being used to assist a vessel to dock or undock;
 - (c) the harbour tug is at no time more than five nautical miles from an accessible dock offering refuge;
 - (d) the harbour tug complies with the requirements of Schedule VIII to the *Marine Machinery Regulations*;
 - (e) the tug has a communications system that allows radio contact to be maintained with a responsible person ashore;
 - (f) a person holding at least a Second Engineer less than 3,000 kW propulsion power certificate of competency is available on shore and ready to intervene should the master determine that the vessel requires immediate assistance; and
 - (g) records of the procedures and verifications to be carried out before each departure, during service and at the end of operations are readily available for inspection, on board the tug.

Exception

- (6) Subsection (5) does not apply to a harbour tug that
- (a) uses low flashpoint fuels or heated oil as fuel;

- (b) has an electrical power of 600 volts or more;
- (c) has a boiler or a steam generator generating a steam working pressure over 101.3 kPa; or
- (d) is equipped with a thermal oil heating system.

Obligations of authorized representative

(7) The authorized representative of the tug must not allow a person who holds an Small Vessel Machinery Operator certificate to occupy a position of chief engineer officer, second engineer officer or officer in charge of an engineering watch under subsection (5), unless the authorized representative

- (a) provides a list of procedures and verifications to be carried out before each departure, during service and at the end of operations is provided to the person who holds the certificate;
- (b) ensures that the departure procedures and verifications are carried out by the person who holds the certificate;
- (c) ensures that records of the procedures and verifications that has been carried out are readily available for inspection, on board the tug;
- (d) establishes a maintenance schedule of the main engines that meets the recommendations of the manufacturer;
- (e) ensures that the maintenance of the main engines is carried out by
 - (i) an engineer who holds at least an Engineer in Charge of the Watch certificate,
 - (ii) a service firm accredited by the manufacturer of the main engines with which the authorized representative has entered into a maintenance contract; and
- (f) ensures that a record of the maintenance of the main engines is maintained.

Records

(8) The authorized representative of a tug must keep the records referred to in this section for five years after the day on which the record was created.

Certificate for chief engineer of a steam vessel of less than 750kW

3046 Despite section 3038, the authorized representative of a steam vessel of a propulsive power of less than 750 kW must ensure that a person who occupies the position of chief engineer officer on board holds, at a minimum, the certificate Engineer in Charge of the Watch valid for use on steam vessels or motor vessels.

Foreign Certificate of Competency — 89(1) of the Act

3047 (1) Despite the requirements of sections 3028 to 3032 and 3040 to 3045, a person who occupies the positions referred to in those sections may, instead of holding a certificate of competency required under those sections, hold a certificate of competency that is issued by the

government of a foreign state and that the Minister directs under subsection 89(1) of the Act may be accepted in lieu of the required certificate of competency.

Endorsement of recognition

(2) The master must ensure that the foreign certificate of competency that is presented to him is accompanied by an endorsement of recognition issued by the Minister in respect of that certificate.

Dispensations — Circumstances of exceptional necessity

3048 (1) In circumstances of exceptional necessity, the authorized representative of a vessel may make a written request to the Minister for a grant of a dispensation authorizing a person to occupy a position on board the vessel without holding a certificate of competency that a person in that position is required to hold under these Regulations.

Issuance of the dispensation

(2) The Minister may, if the circumstances justify it, grant a dispensation in accordance with Article VIII of the STCW Convention, authorizing a person to perform the duties of a position on board a vessel without holding the required Canadian maritime document.

Period of validity of dispensation

(3) The Minister sets out on the dispensation the date of expiry, which cannot be more than six months after the date on which it is granted.

DIVISION 4

Training

SUBDIVISION A

General

Equivalent training certificates

3049 If a provision of this Division requires a person to hold a certificate set out in column 1 of Schedule X, the person may instead hold the following training certificate:

- (a) a training certificate issued on or after July 1, 2007 and before the coming into force of these Regulations set out in column 2;
- (b) a training certificate issued on or after July 30, 1997 but before July 1, 2007 set out in column 3; or
- (c) a training certificate issued before July 30, 1997 set out in column 4.

SUBDIVISION B

Basic Safety Training

Voyage other than a voyage in domestic waters

3050 The authorized representative and master of a vessel that is engaged on a voyage other than a voyage in domestic waters must ensure that every person who is required to be on board in order for the vessel to meet the minimum complement requirements of this Part holds an STCW Basic Safety certificate of proficiency.

Voyage in domestic waters

3051 The authorized representative and master of a vessel that is described in column 1 of the table to this section must ensure that every person who is required to be on board in order for the vessel to meet the minimum complement requirements of this Part, before acquiring six months of sea service, holds at least one of the documents set out as applicable in columns 2 to 7.

Basic Safety Training

| Item | Column 1 Vessel | Column 2 STCW Basic Safety training certificate | Column 3 Domestic Vessel Safety training certificate | Column 4 Domestic Passenger Vessel Safety training certificate | Column 5 Small Non- pleasure Domestic Vessel Basic Safety training certificate | Column 6 Seasonal Passenger Vessel Safety (Non-certificated Personnel) Training Certificate | Column 7 Pleasure Craft Operator Card |
|------|--|---|---|---|--|--|---|
| 1 | A vessel that is engaged on a voyage in domestic waters other than a vessel that is described in any of items 2 to 8 | Applicable | Applicable | | | | |
| 2 | A vessel that is engaged on a voyage in domestic waters and that carries a passenger, other than a vessel that is described in any of items 3, 4, 5 and 8 | Applicable | Applicable | Applicable | | | |
| 3 | A vessel that is less than 18 m in registered length and that is engaged on a voyage in domestic waters, or a vessel that is 18 m or more but not more than 24 m in registered length and that is engaged on a sheltered waters voyage, other than a vessel that is referred to in item 5 to 8 | Applicable | Applicable | Applicable | Applicable | | |
| 4 | A vessel that is more than 24 m in overall length, carries a passenger, is engaged on a sheltered waters voyage and operates only on a seasonal basis between March 31 and December 1 of each year | Applicable | Applicable | Applicable | | Applicable | |

| Item | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 | Column 6 | Column 7 |
|--------|---|--|---|---|--|--|------------------------------|
| Vessel | | STCW Basic Safety training certificate | Domestic Vessel Safety training certificate | Domestic Passenger Vessel Safety training certificate | Small Non-pleasure Domestic Vessel Basic Safety training certificate | Seasonal Passenger Vessel Safety (Non-certificated Personnel) Training Certificate | Pleasure Craft Operator Card |
| 5 | A vessel that is not more than 24 m in overall length, carries a passenger, is engaged on a sheltered waters voyage and operates only on a seasonal basis between March 31 and December 1 of each year, other than a vessel described in item 8 | Applicable | Applicable | Applicable | Applicable | Applicable | |
| 6 | A vessel that is not more than 8.5 m in overall length, other than a tug, that does not carry a passenger and is engaged on a voyage in domestic waters , other than a vessel described in item 7 | Applicable | Applicable | Applicable | Applicable | Applicable | |
| 7 | A vessel that is not more than 8.5 m in overall length, other than a tug, that does not carry a passenger and is engaged on a voyage no more than two nautical miles from shore or a sheltered waters voyage | Applicable | Applicable | Applicable | Applicable | Applicable | Applicable |
| 8 | A vessel that is not more than 8.5 m in overall length, other than a tug, that carries six or fewer passengers and is engaged on a sheltered waters voyage | Applicable | Applicable | Applicable | Applicable | Applicable | Applicable |

SUBDIVISION C

Survival Craft Training

Voyages other than voyages in domestic waters

3052 The authorized representative and master of a vessel that is engaged on a voyage other than a voyage in domestic waters must ensure that every person who is assigned to prepare and launch a survival craft, other than a fast rescue boat, or assigned to take charge, after launch, of a survival craft other than a fast rescue boat, is the holder of a Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency

Voyages in domestic waters other than sheltered waters voyages

3053 The authorized representative and master of a vessel that is engaged on a voyage in domestic waters other than a sheltered waters voyage must ensure that every person who is

assigned to prepare and launch a survival craft, other than a fast rescue boat, or assigned to take charge of a survival craft after launch is the holder a

- (a) a Survival Craft and Rescue Boats other than Fast Rescue Boats certificate of proficiency; or
- (b) a Restricted Proficiency in Survival Craft and Rescue Boats other than Fast Rescue Boats certificate of proficiency issued in respect of the survival craft.

Sheltered Waters

3054 (1) The authorized representative and master of a vessel that is engaged on a sheltered waters voyage must ensure that every person who is assigned to prepare and launch a survival craft, other than a fast rescue boat, a manually launched life raft or a manually launched inflatable rescue platform, or assigned to take charge of such a survival craft after launch is the holder of

- (a) a Survival Craft and Rescue Boats other than Fast Rescue Boats training certificate; or
- (b) a certificate referred to in section 3053.

Manually launched raft or platform

(2) The authorized representative and master of a vessel that is engaged on a sheltered waters voyage must ensure that every person who is assigned to prepare and launch a manually launched life raft or a manually launched inflatable rescue platform or assigned to take charge of such a survival craft after launch is the holder of

- (a) a Survival Craft and Rescue Boats other than Fast Rescue Boats training certificate;
- (b) one of the documents referred to in the table to section 3051; or
- (c) a certificate referred to in section 3053.

Fast Rescue Boats

3055 The authorized representative and master of a vessel must ensure that every person who is assigned to operate a fast rescue boat is the holder of a Fast Rescue Boat certificate of proficiency.

Additional training — motorized survival craft

3056 In the case of a motorized survival craft, the authorized representative and master must also ensure that at least one person who is assigned to it has received the necessary training to operate the motor and carry out minor adjustments to it.

Marine evacuation systems

3057 The authorized representative and master of a vessel must ensure that every person who is assigned to the deployment of a marine evacuation system

- (a) has participated in a full deployment of the system in accordance with the system's approval certificate; or
- (b) holds an attestation that evidences successful completion of the manufacturer's training.

SUBDIVISION D

Firefighting Training

Person assigned to a firefighting team

3058 The authorized representative and master of a vessel must ensure that every person assigned to a firefighting team holds

- (a) in the case of a vessel that is engaged on a voyage other than a voyage in domestic waters, an STCW Basic Safety certificate of proficiency;
- (b) in the case of a vessel that is engaged on a sheltered waters voyage and is required to carry a fireman's outfit,
 - (i) a Domestic Vessel Safety training certificate,
 - (ii) a Domestic Passenger Vessel Safety training certificate, or
 - (iii) an STCW Basic Safety training certificate;
- (c) in the case of a vessel that is engaged on a sheltered waters voyage and is not required to carry a fireman's outfit,
 - (i) a Domestic Vessel Safety training certificate,
 - (ii) a Domestic Passenger Vessel Safety training certificate,
 - (iii) a Small Non-pleasure Domestic Vessel Basic Safety training certificate, or
 - (iv) an STCW Basic Safety training certificate;
 - (v) if the vessel operates only on a seasonal basis between March 31 and December 1 of each year, a Seasonal Passenger Vessel Safety (non-certificated personnel) training certificate;
- (d) in the case of a vessel that is engaged on a Near Coastal voyage, Class 2, and that is not required to carry a fireman's outfit,
 - (i) a Domestic Vessel Safety training certificate,
 - (ii) a Domestic Passenger Vessel Safety training certificate,
 - (iii) a Small Non-pleasure Domestic Vessel Basic Safety training certificate, or

- (iv) an STCW Basic Safety training certificate; and
- (e) in the case of any other vessel, an STCW Basic Safety training certificate.

Person assigned to lead a firefighting team

3059 The authorized representative and master of a vessel must ensure that every person who is assigned to lead a firefighting team holds

- (a) in the case of a vessel that is engaged on a voyage other than a voyage in domestic waters, an Advanced Firefighting certificate of proficiency; and
- (b) in the case of a vessel that is engaged on a voyage in domestic waters and is required to carry a fireman's outfit,
 - (i) an Advanced Firefighting certificate of proficiency, or
 - (ii) if the vessel is engaged on a voyage in sheltered waters, an STCW Basic Safety training certificate.

SUBDIVISION E

Medical Training

First Aid

3060 The authorized representative and master of a vessel must ensure that every person who is assigned to provide first aid on board a vessel holds

- (a) a Marine Advanced First Aid certificate of proficiency; or
- (b) if the vessel is engaged on a voyage in domestic waters,
 - (i) a Marine Basic First Aid training certificate, or
 - (ii) a certificate issued by or under the authority of an organization approved by a province for the teaching of first aid and that evidences successful completion of a two-day first aid course.

Medical Care

3061 (1) The authorized representative and master of a vessel that carries fewer than 100 persons and is engaged on a voyage other than a voyage in domestic waters, or of a vessel that carries 100 passengers or more and is engaged on a voyage, other than a voyage in domestic waters, of not more than three days, must ensure that any person who is assigned to take charge of medical care on board the vessel is

- (a) a holder of Marine Medical Care certificate of proficiency or a certificate in respect of which the Minister is satisfied that the requirements for its issuance meet or exceed the requirements for the issuance of the certificate of proficiency;
- (b) in the case of a vessel that has access, within eight hours, to a hospital, a medical clinic, an office of a physician, or a treatment facility that is in the charge of a registered nurse, a holder of a Marine Advanced First Aid certificate of proficiency; or
- (c) a physician.

Physician

(2) The authorized representative and master of a vessel that carries 100 persons or more and is engaged on a voyage, other than a voyage in domestic waters, of more than three days must ensure that any person who is assigned to take charge of medical care on board the vessel is a physician.

SUBDIVISION F

Training in Food Hygiene

Food preparation

3062 The authorized representative and master of a vessel must ensure that any person who prepares food in the galley for the complement is trained in personal hygiene and the handling and storage of food on board a vessel.

SUBDIVISION G

On-board Familiarization Training

Procedures and policies

3063 (1) The authorized representative of a vessel must provide to the master written policies and procedures to be followed to ensure that every person who is employed or engaged receives the following training on board the vessel:

- (a) the safety familiarization training specified in paragraph 1 of section A-VI/1 of the STCW Code;
- (b) if the vessel is equipped with a marine evacuation system, familiarization training on the deployment of the system using the vessel's onboard training aids;
- (c) if the vessel is carrying a rigid hull liferaft, familiarization training on the preparation and launching of the rigid hull liferaft, including familiarization with regards to the procedures of embarkation into the rigid hull liferaft using the vessel's equipment;

(d) familiarization training with respect to their specific duties and with respect to all vessel arrangements, installations, equipment, procedures and vessel characteristics that are relevant to their routine or emergency duties; and

(e) if the vessel is of 500 gross tonnage or more, carries more than 12 passengers and is engaged on a voyage other than a sheltered waters voyage, the emergency familiarization training set out in paragraph 5 of Regulation V/2 of the STCW Convention.

Content

(2) The policies and procedures must include the policies and procedures specified in paragraph 2 of Section A-I/14 of the STCW Code.

Familiarization training

3064 The authorized representative and master of a vessel must ensure that every person employed or engaged receives the training referred to in subsection 3063(1) before being assigned to their duties and that the training is given in an official language that the person understands.

Knowledge

3065 (1) The authorized representative and master of a vessel must ensure that the every person trained in accordance with this subdivision can effectively perform their assigned duties in an emergency situation and their assigned duties vital to safety, security and the prevention or mitigation of pollution.

Maintaining knowledge

(2) The authorized representative and master of a vessel must ensure that the knowledge of every person trained in accordance with this subdivision is kept up to date.

Record of familiarization training

3066 (1) The authorized representative and master of a vessel must ensure that a record of familiarization training that includes the following information is kept readily available for inspection by a marine safety inspector, on board the vessel or, if the vessel does not travel more than five nautical miles from its home port, in its home port, so that the inspector can verify that all personnel have received the training:

- (a) the name of each person who has been familiarized;
- (b) the equipment with which they are familiarized;
- (c) the subject-matter they were trained on; and
- (d) the days on which they were familiarized.

Retention period

(2) The authorized representative of a vessel must keep the records referred to in this section for five years after the day on which the record was created.

SUBDIVISION H

Vessel-specific Training

Passenger Vessels

Voyage other than a sheltered waters voyage

3067 (1) Subject to subsection (2), the authorized representative of a vessel that carries more than 12 passengers and is engaged on a voyage other than a sheltered waters voyage must ensure that a person described in column 1 of the table to this subsection has obtained the training certificate set out in column 2 within the last five years and that it is kept on board.

TABLE

| Item | Column 1 | Column 2 |
|------|--|---|
| | Personnel | Training Certificate |
| 1 | The master, every deck officer, every engineer officer, every deck watch rating, every engine watch rating and any person assigned to assist passengers in emergency situations. | Passenger Ship Crowd Management training certificate |
| 2 | Every person assigned to provide direct service to passengers in passenger spaces. | Safety Training for Personnel Providing Direct Service to Passengers in Passenger Spaces training certificate |
| 3 | The master, the chief engineer, the chief mate, the second engineer and any person responsible for the safety of passengers in an emergency situation. | Crisis Management and Human Behaviour training certificate |
| 4 | The master, the chief engineer, the chief mate, the second engineer and any person with immediate responsibility for the embarking or disembarking of passengers, the loading, discharging or securing of cargo or closing openings on board a ro-ro passenger vessel. | Passenger Safety, Cargo Safety and Hull Integrity training certificate |

Voyage in domestic waters

(2) If the vessel is engaged on a voyage in domestic waters, the person may obtain the training certificate set out in column 2 within six months of the first day on which the person began performing their duties on board the vessel instead of within the last five years.

Vessels using Low Flashpoint Fuels

Duties — fuel systems

3068 (1) The authorized representative and the master of a vessel that uses low flashpoint fuels must ensure that a person assigned duties associated with the care or use of fuel or fuel systems,

or with emergency responses related to them, other than a person with immediate responsibility for such care or use as defined in Section B-V/3 of the *STCW Code*, holds a Basic Training for Service on Vessels Subject to the IGF Code certificate of proficiency.

Immediate responsibility — fuels

(2) The authorized representative and master of the vessel must ensure that a person with immediate responsibility for the care or use of fuels or fuel systems, or with emergency responses related to them, holds an Advanced Training for Service on Vessels Subject to the IGF Code certificate of proficiency.

Tankers

Oil Tankers and Chemical Tankers

3069 The authorized representative of an oil tanker or a chemical tanker must ensure that

- (a) the officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on oil or chemical tankers hold a certificate of proficiency in basic training for oil and chemical tanker cargo operations;
- (b) the master, chief mate, chief engineer and second engineer and any person assigned with immediate responsibility for loading of cargo, discharging of cargo, care in transit of cargo, handling of cargo, tank cleaning or other cargo-related operations on oil tankers holds a certificate of proficiency in advanced training for oil tanker cargo operations; and
- (c) the master, chief mate, chief engineer and second engineer and any person with immediate responsibility for loading of cargo, discharging of cargo, care in transit of cargo, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers holds a certificate of proficiency in advanced training for chemical tanker cargo operations.

Liquefied Gas Tankers

3070 The authorized representative of a liquefied gas tanker must ensure that

- (a) the officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment hold a certificate of proficiency in basic training for liquefied gas tanker cargo operations; and
- (b) the master, chief mate, chief engineer and second engineer and any person with immediate responsibility for loading of cargo, discharging of cargo, care in transit of cargo, handling of cargo, tank cleaning or other cargo-related operations holds a certificate of proficiency in advanced training for liquefied gas tanker cargo operations.

Non-self-propelled barges

3071 (1) The authorized representative of a non-self-propelled barge must ensure that

- (a) every person in charge of an oil transfer operation or an operation involving the transfer of an oily mixture in waters north of 60° N, holds

- (i) a Supervisor of an Oil Transfer Operation in Arctic Waters (North of 60° N) certificate of proficiency, or
 - (ii) a master or mate certificate of competency with an advanced training for oil tanker cargo operations certificate of proficiency;
- (b) every person in charge of an oil transfer operation or an operation involving the transfer of an oily mixture, other than an operation in the waters referred to in paragraph (a), holds
- (i) a Supervisor of an Oil Transfer Operation certificate of proficiency, or
 - (ii) a master or mate certificate of competency with an advanced training for oil tanker cargo operations certificate of proficiency;
- (c) every person in charge of a chemical transfer operation or an operation involving the transfer of a chemical mixture holds
- (i) a Supervisor of a Chemical Transfer Operation certificate of proficiency, or
 - (ii) a master or mate certificate of competency with an advanced training for chemical tanker cargo operations certificate of proficiency;
- (d) every person in charge of a liquefied gas transfer operation holds
- (i) a Supervisor of a Liquefied Gas Transfer Operation certificate of proficiency, or
 - (ii) a master or mate certificate of competency with an advanced training for liquefied gas tanker cargo operations certificate of proficiency.

Exception — response organizations

- (2) Paragraphs (1)(a) and (b) do not apply in respect of a non-self-propelled barge that is owned and operated by a response organization.

High-speed craft

Training — high-speed craft

3072 The authorized representative and master must ensure that all crew members on board a high-speed craft receive the training specified in sections 18.3.3.6 to 18.3.3.12 of the HSC Code applicable to the type of vessel and the route that the vessel follows before being assigned to their duties.

High Speed Craft Type Rating certificate of proficiency

3073 (1) The master of a high-speed craft, other than an air cushion vessel, and any deck or engine-room officer having an operational role on the high-speed craft who may be called on to operate the craft, must hold, a High Speed Craft Type Rating certificate of proficiency applicable to the type of vessel and the route that the vessel follows.

Exception

(2) Subsection (1) does not apply in respect of a high-speed craft engaged on a Near Coastal voyage, Class 2, or a sheltered waters voyage, that is operated at a speed no greater than 25 knots.

Passenger Submersible Craft

Certificate of proficiency

3074 (1) The master of a passenger submersible craft must hold a Passenger Submersible Craft certificate of proficiency.

Passenger submersible craft of less than 750 kW

(2) The authorized representative of a passenger submersible craft equipped with an internal combustion engine of less than 750 kW or an electric propulsion system of at least 75 kW but less than 750 kW must employ an engineer who holds a Passenger Submersible Craft certificate of proficiency.

Propulsive power of at least 750 kW

(3) The authorized representative of a passenger submersible craft that has a propulsive power of at least 750 kW must ensure that the engineers referred to in section hold a Passenger Submersible Craft certificate of proficiency.

Passenger submersible craft without an engineer

(4) If a passenger submersible craft is not required to have on board an engineer with a certificate of competency, the authorized representative must assign the maintenance of the vessel's machinery to a technician accredited for this purpose by the manufacturer.

SUBDIVISION I

Electronic Chart Display and Information System (ECDIS) Training

ECDIS training certificate

3075 (1) The authorized representative and master of a vessel must ensure that the officer in charge of a navigational watch that uses an electronic chart display and information system holds an ECDIS training certificate.

Written instructions

(2) The master must provide the officer in charge of the navigational watch with written instructions on how to use the electronic chart display and information system and its back-up arrangements carried on board.

(section 3049)

Equivalent Training Certificates

| Item | Column 1 Training certificate required under these Regulations | Column 2 Training certificates issued on or after July 1, 2007 and before the coming into force of these Regulations | Column 3 Training certificates issued on or after July 30, 1997 but before July 1, 2007 | Column 4 Training certificates issued before July 30, 1997 |
|------|---|---|--|---|
| 1 | Domestic Vessel Safety | (a) MED with Respect to Basic Safety; or(b) MED with Respect to Small Passenger Vessel Safety | (a) Marine Emergency Duties with Respect to Basic Safety; or(b) Marine Emergency Duties with Respect to Small Vessel Safety | Marine Emergency Duties 1 |
| 2 | Survival craft and rescue boats other than fast rescue boats | MED training with respect to proficiency in survival craft and rescue boats other than fast rescue boats | Marine Emergency Duties with Respect to Survival Craft | Marine Emergency Duties 2 |
| 3 | Advanced fire fighting | MED in advanced fire fighting | (a) Marine Emergency Duties with Respect to Basic Safety orMarine Emergency Duties with Respect to Small Vessel Safety;(b) Marine Emergency Duties with Respect to Marine Fire Fighting; and(c) Marine Emergency Duties for Officers | (a) Marine Emergency Duties 2; and (b) Marine Emergency Duties 3; |
| 4 | Small Non-pleasure Domestic Vessel Basic Safety | MED with Respect to Small Non-pleasure Vessel Basic Safety | Basic Safety for Small Non-Pleasure Craft (MED A3) | N/A |
| 5 | Small Seasonal Passenger Vessel Safety (Certificated Personnel) | MED with respect to small seasonal passenger vessel safety (certificated personnel) | Small Seasonal Passenger Vessel Safety (certificated personnel) | N/A |
| 6 | Seasonal passenger vessel safety (non-certificated personnel) | MED with respect to small seasonal passenger vessel safety (non-certificated personnel) | Small Seasonal Passenger Vessel Safety (non-certificated personnel) | N/A |
| 7 | STCW Basic Safety | MED with Respect to STCW Basic Safety | (a) Marine Emergency Duties with Respect to Basic Safety or Marine Emergency Duties with Respect to Small Vessel Safety and (b) Marine Emergency Duties with Respect to Marine Fire Fighting | Marine Emergency Duties 2 |

DIVISION 5

Fishing Vessels

General

Sufficient and competent crew — Minimum complement

3076 For the purposes of subsection 82(2) of the Act, a fishing vessel is staffed with a crew that is sufficient and competent for the safe operation of the fishing vessel when the vessel's complement is composed, at a minimum, of the following persons:

- (a) persons who occupy the positions that must be occupied to meet the requirements of this Part and that hold Canadian maritime documents or other documents as required for those positions;

(b) persons in numbers specified by the Minister on the safe manning document to take charge of safety and emergency duties set out in section 3005 and who have received training as specified by these Regulations;

(c) additional necessary persons, specified by the Minister after taking into account the guidelines found in Annex 1 and Annex 2 of IMO Resolution A.1047(27).

Master on board

3077 Despite any other provision to the contrary, a fishing vessel must have on board at least one master who holds a certificate of competency or any other document required by these Regulations for this position and, except for a fishing vessel of less than 15 gross tonnage or has a length of less than 12 m, an additional crew member.

Medical certificate

3078 (1) A person must not exercise the privileges or attempt to exercise the privileges of a certificate of competency, an endorsement or other certificate unless the person holds a valid medical certificate referred to in Part 2, a medical certificate is required for the issuance of the certificate of competency, endorsement or other certificate, that is required for the position that the person is to occupy.

Prohibition — authorized representative and master

(2) The authorized representative and the master of a fishing vessel must not employ a person on board their vessel who does not hold a medical certificate where required under subsection (1).

Exception — foreign certificates

(3) Despite subsection (1), a person who holds a certificate of competency issued by the government of a foreign state may hold a valid medical certificate issued or approved by a foreign maritime administration instead of the medical certificates referred to in Part 2 of these Regulations, if the certificate of competency has a Canadian endorsement attesting that the Minister has recognized the foreign certificate of competency in lieu of the certificate of competency required by this Part.

Positions That Must Be Occupied on Board Fishing Vessels

Positions that must be occupied

3079 The following positions must be occupied on board a fishing vessel:

- (a) a master;
- (b) for each team performing the deck or navigational watch
 - (i) an officer in charge of the deck watch, and
 - (ii) a radio operator, if the vessel is equipped with a VHF radiotelephone installation or a VHF radio installation;

- (c) a chief engineer officer, if the vessel is a vessel of 750 kW propulsion power or more;
- (d) a second engineer, if
 - (i) the vessel has a propulsive power of 5 000 kW or more and is engaged on a voyage in unlimited waters, or
 - (ii) the vessel has a propulsive power of 6 500 kW or more and is engaged on a voyage in limited waters; and
- (e) for each team performing the engineering watch on a fishing vessel with a propulsive power of 750 kW or more, an officer in charge of an engineering watch.

Dual Capacity — General Prohibition

3080 (1) A person must not occupy more than one position set out in section 3079 to satisfy the requirements respecting the minimum complement, except in accordance with subsection (2).

Dual Capacity — Exception

(2) For the purposes of determining whether the requirements respecting the minimum safe manning level of a fishing vessel have been satisfied, a person who occupies a position indicated in column 1 of the table to this subsection may also occupy a position indicated in column 2 if the person holds the certificate of competency required for the position indicated in column 2 and the conditions set out in column 3, if any, are met.

Positions for which Dual Capacity Is Allowed

| Item | Column 1 Position | Column 2 Position | Column 3 Conditions |
|------|-------------------------------------|-------------------------------------|---|
| 1 | Master | Deck officer in charge of the watch | Vessel that meets the following requirements: <ul style="list-style-type: none"> (a) the vessel is of not more than 1 000 gross tonnage and is operating with only a one watch system; or (b) the vessel is of more than 1 000 gross tonnage but not more than 3 000 gross tonnage and is operating with a three watch system. |
| | | Radio operator | |
| | | Chief engineer officer | Vessel that does not engage in towing operations, if the vessel meets the following requirements: <ul style="list-style-type: none"> (a) it is a motor vessel that is 20 m or less in length; (b) the vessel's propulsion system has all the necessary gauges, alarms and engine and emergency controls so that it can be controlled from the steering station while keeping a navigational lookout; and (c) there is on board, in addition to the person acting in the dual capacity, at least one crew member who is at least 18 years of age and able to render any assistance that might be necessary in an emergency. |
| 2 | Deck officer in charge of the watch | Radio operator | |

| | Column 1 | Column 2 | Column 3 |
|------|-------------------------|---|------------|
| Item | Position | Position | Conditions |
| 3 | Chief engineer officer | Officer in charge of an engineering watch | |
| 4 | Second engineer officer | Officer in charge of an engineering watch | |

Canadian Maritime Documents and Other Documents for Required Positions

Deck Department

Voyage in unlimited waters

3081 While on board a fishing vessel that is engaged on a voyage in unlimited waters, a person who occupies a position set out in column 1 of an item of the table to this section must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Voyage in Unlimited Waters

| | Column 1 | Column 2 | Column 3 |
|------|---|--------------------|-----------------------------------|
| Item | Position | Vessel | Certificate of Competency |
| 1 | Master | Any fishing vessel | Fishing Master, Unlimited Waters |
| 2 | Officer in Charge of the Deck or navigational Watch | Any fishing vessel | Fishing Officer, Unlimited Waters |

Voyage in limited waters

3082 (1) While on board a fishing vessel that is engaged on a voyage in limited waters other than a near coastal voyage, Class 2 or sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this section must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Voyage in Limited Waters

| | Column 1 | Column 2 | Column 3 |
|------|----------|--|---------------------------------------|
| Item | Position | Vessel | Certificate of Competency or Document |
| 1 | Master | Fishing vessel of 24 metres or more in registered length | (i) Fishing Master, Unlimited Waters |
| | | Fishing vessel of less than 24 metres in registered length | (ii) Fishing Master, Limited Waters |
| | | | (i) Fishing Master, Unlimited Waters |

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| Column 1 | Column 2 | Column 3 |
|---------------|---|---|
| Item Position | Vessel | Certificate of Competency or Document |
| | | (ii) Fishing Master, Limited Waters |
| | | (iii) Fishing Officer, Unlimited Waters |
| | | (iv) Fishing Officer, Limited Waters |
| | | (i) Fishing Master, Unlimited Waters |
| | | (ii) Fishing Master, Limited Waters |
| | Fishing vessel of less than 24 metres in registered length that is making a voyage other than an international voyage | (ii) Fishing Master, Limited Waters |
| | | (iii) Fishing Officer, Unlimited Waters |
| | | (iv) Fishing Officer, Limited Waters |
| | | (v) Fishing Master, 24 metres, Limited Waters |
| | | (i) Fishing Master, Unlimited Waters |
| | | (ii) Fishing Master, Limited Waters |
| | Fishing vessel of less than 14 metres in registered length that is making a voyage other than an international voyage | (iii) Fishing Officer, Unlimited Waters |
| | | (iv) Fishing Officer, Limited Waters |
| | | (v) Fishing Master, 24 metres, Limited Waters |
| | | (vi) Fishing Master, 14 metres, Limited Waters |
| | Fishing vessel of 24 metres or more in registered length | (i) Fishing Officer, Unlimited Waters |
| | | (ii) Fishing Officer, Limited Waters |
| 2 | Officer in Charge of the Deck or Navigational Watch | (i) Fishing Officer, Unlimited Waters |
| | Fishing vessel of less than 45 metres in registered length that is making a voyage other than an international voyage | (ii) Fishing Officer, Limited Waters |
| | | (iii) Fishing Master, 24 metres, Limited Waters |

| Column 1 | Column 2 | Column 3 |
|---------------|---|--|
| Item Position | Vessel | Certificate of Competency or Document |
| | Fishing vessel of less than 24 metres in registered length that is making a voyage other than an international voyage | (i) Fishing Officer, Unlimited Waters (ii) Fishing Officer, Limited Waters (iii) Fishing Master, 24 metres, Limited Waters (iv) Fishing Master, 14 metres, Limited Waters |

Declaration of fishing seasons

(2) Despite subsection (1), a person who occupies the position of master on board a fishing vessel not more than 15 gross tonnage or of not more than 12 m or less in length overall or is not required to hold the certificates of competency set out in the table to subsection (1) if

- (a) the person acquired at least seven fishing seasons as master of a fishing vessel with no two seasons occurring in the same year, prior to July 1, 2007;
- (b) the person holds the document *Declaration of at Least Seven Fishing Seasons — as Master of a Fishing Vessel of up to 15 Gross Tonnage or not more than 12 M in Length Overall*, duly completed and signed; and
- (c) the vessel is engaged on a voyage that
 - (i) is within the maximum distance from shore stated on the Declaration,
 - (ii) does not go beyond 50 nautical miles from the coast of Canada, and
 - (iii) within the fishing areas or zones specified on the Declaration.

Content of document

(3) The document referred to in paragraph (3)(b) is determined by the Minister and must include the following:

- (a) the name of the person making the statement;
- (b) the areas or zones where the person conducted fishing operations;
- (c) the maximum distance from shore on the fishing operations; and
- (d) a signed statement by the person attesting that the information contained in the statement is correct and is a true statement of the person's sea service as master, acquired prior to July 1, 2007.

Small Vessel operator certificate of competency

(4) Despite subsection (1), a person who occupies the position of master on board a fishing vessel not more than 15 gross tonnage or of not more than 12 m in length overall may hold the Small Vessel Operator certificate of competency with a Fishing Vessel Endorsement instead of the certificates of competency set out in the table to subsection (1) if the vessel does not go beyond 50 nautical miles from shore.

Near Coastal Voyage, Class 2 or Sheltered Waters Voyage

3083 (1) During a Near Coastal Voyage, Class 2 or Sheltered Waters Voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection on board a fishing vessel set out in column 2 of that item must hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 2 or Sheltered Waters Voyage

| Column 1 | Column 2 | Column 3 |
|--|--|---|
| Item Position | Vessel | Certificate of Competency |
| 1 Master | Fishing vessel of 24 metres or more in registered length | (i) Fishing Master, Unlimited Waters |
| | | (ii) Fishing Master, Limited Waters |
| | | (i) Fishing Master, Unlimited Waters |
| | | (ii) Fishing Master, Limited Waters |
| | | (iii) Fishing Officer, Unlimited Waters |
| | | (iv) Fishing Officer, Limited Waters |
| | Fishing vessel of less than 24 metres in registered length and of 14 metres or more in registered length | (v) Fishing Master, 24 Metres, Limited Waters |
| | | (i) Fishing Master, Unlimited Waters |
| | | (ii) Fishing Master, Limited Waters |
| | | (iii) Fishing Officer, Unlimited Waters |
| | | (iv) Fishing Officer, Limited Waters |
| | | (v) Fishing Master, 24 Metres, Limited Waters |
| Fishing vessel of less than 14 metres in registered length and of 12 metres or more in registered length | (vi) Fishing Master, 14 Metres, Limited Waters | |
| | (i) Fishing Master, Unlimited Waters | |
| | (ii) Fishing Master, Limited Waters | |
| | (iii) Fishing Officer, Unlimited Waters | |
| | (iv) Fishing Officer, Limited Waters | |
| | (v) Fishing Master, 24 Metres, Limited Waters | |
| Fishing vessel of 12 metres or less in registered length | (vi) Fishing Master, 14 Metres, Limited Waters | |
| | (i) Fishing Master, Unlimited Waters | |
| | (ii) Fishing Master, Limited Waters | |
| | (iii) Fishing Officer, Unlimited Waters | |
| | (iv) Fishing Officer, Limited Waters | |
| | (v) Fishing Master, 24 Metres, Limited Waters | |

| Column 1 | Column 2 | Column 3 | |
|---------------|---|--|---|
| Item Position | Vessel | Certificate of Competency | |
| 2 | Officer in Charge of the Deck or navigational Watch | (vi) Fishing Master, 14 Metres, Limited Waters | |
| | | (vii) Small Vessel Operator with Fishing Vessel Endorsement | |
| | | (i) Fishing Master, Unlimited Waters | |
| | | (ii) Fishing Master, Limited Waters | |
| | | Fishing vessel of 12 metres or less in length overall or of not more than 15 gross tonnage | (iii) Fishing Officer, Unlimited Waters |
| | | | (iv) Fishing Officer, Limited Waters |
| | | | (v) Fishing Master, 24 Metres, Limited Waters |
| | | Fishing vessel of 45 metres or more in registered length | (i) Fishing Officer, Unlimited Waters |
| | | | (ii) Fishing Officer, Limited Waters |
| | | | (i) Fishing Officer, Unlimited Waters |
| | (ii) Fishing Officer, Limited Waters | | |
| | (iii) Fishing Master, 24 Metres, Limited Waters | | |
| | (i) Fishing Officer, Unlimited Waters | | |
| | (ii) Fishing Officer, Limited Waters | | |
| | (iii) Fishing Master, 24 Metres, Limited Waters | | |
| | (iv) Fishing Master, 14 Metres, Limited Waters | | |

Voyage within 2 nautical miles from shore

(2) Despite subsection (1), a person who occupies the position of master on board a fishing vessel of 12 metres or less in length overall making a voyage within 2 nautical miles from shore may hold a Pleasure Craft Operator Card.

Declaration of fishing seasons

(3) Despite subsection (1), a person who occupies the position of master on board a fishing vessel of up to 15 gross tonnage or of not more than 12 metres in length overall is not required to hold the certificates of competency set out in the table to subsection (1) if

- (a) the person acquired at least seven fishing seasons as master of a fishing vessel with no two seasons occurring in the same year, prior to July 1, 2007;

- (b) the person holds the document *Declaration of at Least Seven Fishing Seasons — as Master of a Fishing Vessel of up to 15 Gross Tonnage or not more than 12 M in Length Overall*, duly completed and signed; and
- (c) the vessel is engaged on a voyage that
 - (i) is within the maximum distance from shore stated on the Declaration,
 - (ii) does not go beyond 50 nautical miles from the coast of Canada, and
 - (iii) within the fishing areas or zones specified on the Declaration.

Content of document

- (4) The document referred to in paragraph (3)(b) is determined by the Minister and must include the following:
 - (a) the name of the person making the statement;
 - (b) the areas or zones where the person conducted fishing operations;
 - (c) the maximum distance from shore; and
 - (d) a signed statement by the person attesting that the information contained in the statement is correct and is a true statement of the person's sea service as master, acquired prior to July 1, 2007.

Small vessel operator certificate of competency

- (5) Despite subsection (1), a person who occupies the position of master on board a fishing vessel of not more than 15 gross tonnage or of not more than 12 m in length overall may hold the Small Vessel Operator certificate of competency with a Fishing Vessel Endorsement instead of the certificates of competency set out in the table to subsection (1) if the vessel does not go beyond 50 nautical miles from the shore of Canada.

Radio Operator Certificate

3084 In addition to having to hold the certificates of competency or other documents required by sections 3081 to 3083, if a fishing vessel is equipped with a VHF radiotelephone installation, the persons occupying the following positions must hold the radio operator certificate that is required by these Regulations to perform the radio watch:

- (a) master;
- (b) officer in charge of the watch.

Ranking of certificates of competency

3085 Despite the requirements of section 3081 to 3083, a person who occupies the position of officer in charge of the deck or navigational watch on board a fishing vessel may hold a certificate of competency or a document that, under that section, is required to occupy the

position of master on board the same fishing vessel while engaged on the same type of voyage, instead of having to hold a certificate of competency required by those sections.

Certificates Issued before the Coming into Force of these Regulations

Master

3086 (1) Despite sections 3081 to 3083 and subject to any limitation set out on the certificate of competency or other document, the holder of a previous certificate of competency or document that is still valid and is set out in column 1 of an item of a table to this subsection may occupy the position of master on board a vessel set out in column 2 of that item, subject to any conditions set out in column 3 of that item without having to hold a Canadian maritime document required for that position under sections 3081 to 3083, unless a new certificate or document was delivered under section 1038 in respect of the previous certificate or document, in which case the person may hold this certificate or document to occupy that position subject to the same conditions that are set out in column 3 for the previous corresponding certificate or document set out in column 1 of the table and for the vessels set out in column 2.

Former Certificates and Other Documents

| Item | Column 1 Previous certificate of competency or other document | Column 2 Vessel | Column 3 Conditions |
|------|---|---|--|
| 1 | Fishing Master, Second Class | Any fishing vessel | Fishing vessel engaged on a voyage within the area around North America bounded by the meridians of longitude 30 degrees West and 180 degrees West and north of the parallel of latitude 6 degrees North Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 2 | Fishing Master, Fourth Class (CFV4) | Fishing vessel of not more than 100 gross tonnage | Fishing vessel engaged on a voyage in the coastal waters of North America to the outer limit of the continental shelf of Canada as described in section 17 of the <i>Oceans Act</i> . Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 3 | Fishing Master, Fourth Class (FM4) | Fishing vessel of up to 100 gross tonnage | Fishing vessel engaged on a voyage in Limited Waters Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 4 | Certificate of service as Master of a fishing vessel of not more than 100 gross tonnage | Fishing vessel of not more than 100 gross tonnage | Fishing vessel engaged on a voyage in the coastal waters of North America to the outer limit of the continental shelf of Canada as described in section 17 of the <i>Oceans Act</i> . |
| 5 | Certificate of Service as Master of a Fishing Vessel of Less than 60 Gross Tonnage | Fishing vessel of less than 60 gross tonnage, | Fishing vessel engaged on a voyage specified on the certificate |

| | Column 1 | Column 2 | Column 3 |
|------|---|--|--|
| Item | Previous certificate of competency or other document | Vessel | Conditions |
| 6 | Small Vessel Operator Proficiency Training Certificate (Obtained before MPR 20??) and a Declaration of at Least Seven Fishing Seasons - as Master of a Fishing Vessel of up to 15 Gross Tonnage or not more than 12 M in Length Overall on which the fishing area(s) or zones and the maximum distance from shore on voyages beyond the limits of a near coastal, class 2 voyage is indicated | Fishing vessel of not more than 12 metres in length overall or not more than 15 gross tonnage, | Fishing vessel making a voyage in the areas or zones and within the maximum distance from shore specified in the Declaration of at Least 7 Fishing Seasons that the holder has signed, such a voyage not to extend beyond 50 nautical miles from the coast of Canada |
| 7 | Small Vessel Operator Proficiency Training Certificate | Fishing vessel of not more than 15 gross tonnage or not more than 12 metres in length overall | Fishing vessel engaged on a near coastal class 2 or a sheltered waters voyage |

Officer in charge of a navigational watch

(2) Despite sections 3081 to 3083 and subject to any limitation set out on the certificate of competency or other document, the holder of a previous certificate of competency or other document that is still valid and is set out in column 1 of an item of a table to Part 2 of Schedule 1 to this Part may occupy the position of officer in charge of a navigational watch on board a vessel set out in column 2 of that item, subject to any conditions set out in column 3 of that item without having to hold a Canadian maritime document required for that position under sections 3081 to 3083, unless a new certificate or document was delivered under section 1038 in respect of the previous certificate or document, in which case the person may hold this certificate or document to occupy that position subject to the same conditions that are set out in column 3 for the previous corresponding certificate or document set out in column 1 of the table and for the vessels set out in column 2.

Former Certificates and Other Documents

| | Column 1 | Column 2 | Column 3 |
|------|---|--|--|
| Item | Certificate of competency or other document | Vessel | Conditions |
| 1 | Fishing Master, Second Class | Any fishing vessel | Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 2 | Fishing Master, Fourth Class (CFV4) | Any fishing vessel | Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 3 | Fishing Master, Fourth Class (FM4) | Any fishing vessel | Fishing vessel engaged on a voyage in Limited Waters Certificate of competency was first issued after March 20, 1980, and before July 1, 2007 |
| 4 | Certificate of service as Master of a fishing vessel of not more than 100 gross tonnage | Fishing vessel of less than 24 metres in registered length | Fishing vessel engaged on a voyage specified on the certificate |

Engine Department

Application

3087 (1) Sections 3088 to 3091 do not apply in respect of

- (a) fishing vessels of less than 5 gross tonnage;
- (b) fishing vessels of open construction; or
- (c) fishing vessels that are propelled by outboard engines.

Interpretation

(2) For the purposes of subsection (1), **vessels of open construction** means a vessel of which less than 50% of the length is covered full width, at or above the gunwale level, by decks or permanent enclosures.

Vessel's propulsion type

3088 For the purposes of sections 3090 and 3091, an engineering certificate of competence is only valid for service on a vessel of the type that is indicated on the certificate.

Engineering certificates — Ranking

3089 For the purposes of sections 3090 and 3091, the engineering certificates of competency are listed below in decreasing order of the level of competency acquired by its holder, the holder of the higher certificate being entitled to occupy a position that requires, according to the tables to those provisions, any of the lower certificates:

- (a) Chief Engineer;
- (b) Chief Engineer less than 6 000 kW Propulsion Power, Near Coastal;
- (c) Second Engineer;
- (d) Chief Engineer less than 3 000 kW Propulsion Power;
- (e) Second Engineer less than 3 000 kW Propulsion Power;
- (f) Engineer in Charge of the Watch;
- (g) Engineer in Charge of the Watch — Restricted voyage;
- (h) Engineer in Charge of the Watch — Motor-driven fishing vessel.

Voyage in unlimited waters

3090 (1) While on board a fishing vessel that is engaged on a voyage in unlimited waters, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Voyage in Unlimited Waters

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|--|-----------------------------------|---|
| 1 | Chief engineer officer | 5 000 and more | Chief Engineer |
| | | 2 000 to less than 5 000 | Second Engineer |
| | | 750 to less than 2 000 | Second Engineer less than 3 000 kW Propulsion Power |
| 2 | Second engineer officer | 5 000 and more | Second Engineer |
| | | 750 to less than 5 000 | Engineer in Charge of the Watch |
| 3 | Officer in charge of the engineering watch | 750 and more | Engineer in Charge of the Watch |

Engineer in charge of the watch — Motor-driven fishing vessel

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of an Officer in charge of an Engineering watch on board a vessel with propulsive power of at least 750 kW but less than 2 000 kW may hold an Engineer in charge of the watch — Motor-driven fishing vessel certificate of competency.

Voyage in limited waters

3091 (1) While on board a fishing vessel that is engaged on a voyage in limited waters other than a near coastal voyage, Class 2 or sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Voyage in limited waters

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|--|-----------------------------------|---|
| 1 | Chief engineer officer | 6 500 and more | Chief Engineer |
| | | 3 500 to less than 6 500 | Second Engineer |
| | | 750 to less than 3 500 | Second Engineer less than 3 000 kW Propulsion Power |
| 2 | Second engineer officer | 6 500 and more | Second Engineer |
| | | 750 to less than 6 500 | Engineer in Charge of the Watch |
| 3 | Officer in charge of the engineering watch | 750 and more | Engineer in Charge of the Watch |

Engineer in charge of the watch — Motor-driven fishing vessel

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of an officer in charge of the engineering watch on board a fishing vessel with propulsive power of at least 750 kW but less than 2 000 kW may hold an Engineer in charge of the watch — Motor-driven fishing vessel certificate of competency.

Engineer in charge of the watch — Restricted voyage

(3) Despite the requirement of subsection 1, the person who occupies the position of officer in charge of the engineering watch on board a fishing vessel may hold an Engineer in charge of the watch — Restricted voyage certificate if

- (a) the vessel is not more than 200 nautical miles from shore; and
- (b) the voyage is between places in Canada, the United States (excluding Hawaii) or Saint-Pierre et Miquelon.

Near Coastal Voyage, Class 2 or Sheltered Waters Voyage

3092 (1) While on board a fishing vessel that is engaged on a near coastal voyage, class 2 or sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this subsection must, if the propulsion power of the vessel is within the range set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 2 or Sheltered Waters Voyage

| Item | Column 1 Position | Column 2 Propulsion Power (kW) | Column 3 Certificate (STCW) |
|------|--|-----------------------------------|---|
| 1 | Chief engineer officer | 6 500 and more | Second Engineer |
| | | 3 000 to less than 6 500 | Second Engineer less than 3 000 kW Propulsion Power |
| | | 750 to less than 3 000 | Engineer in Charge of the Watch — restricted voyage |
| 2 | Second engineer officer | 6 500 and more | Second Engineer less than 3 000 kW Propulsion Power |
| | | 750 to less than 6 500 | Engineer in Charge of the Watch — restricted voyage |
| 3 | Officer in charge of the engineering watch | 750 and more | Engineer in Charge of the Watch — restricted voyage |

Engineer in charge of the watch — Motor-driven fishing vessel

(2) Despite the requirements of the table to subsection (1), a person who occupies the position of an Officer in charge of the Engineering watch on board a vessel with propulsive power of at least 750 kW but less than 2 000 kW may hold an Engineer in charge of the watch — Motor-driven fishing vessel certificate of competency.

Watch requirements — Fishing Vessels

Watches

3093 The master of a fishing vessel must ensure that the following watches are maintained in accordance with the requirements of this subdivision:

- (a) a navigational watch;
- (b) an engineering watch; and

(e) a radio watch.

Navigational Watch

3094 The master of a fishing vessel must ensure that a navigational watch is carried out in accordance with the principles and factors to be taken into account that are set out in Chapter 4 of the Annex to the STCW-F Convention, including the requirement that a proper lookout is maintained at all times, in accordance with section 4.6 [of that chapter].

Composition of navigational watch team

3095 The master of a fishing vessel must ensure that each navigational watch team is composed of at least an officer in charge of the navigational watch.

Engineering Watch – Fishing Vessels

3096 The Chief Engineer Officer of a fishing vessel must, in consultation with the master, ensure proper monitoring of the vessel's machinery by themselves or, if applicable, by the Second Engineer Officer or the Officer in charge of an engineering watch.

STCW Basic Safety certificate of proficiency

3097 The authorized representative and master of a fishing vessel of 24 metres and more in registered length that is engaged on a voyage in unlimited waters must ensure that each member of the minimum complement holds an STCW Basic Safety certificate of proficiency.

Basic safety training certificates

3098 The authorized representative and master of a fishing vessel that is described in column 1 of an item of the table to this section must ensure that every member of the minimum complement, before acquiring 6 months of sea service on board that vessel, holds at least one of the document that is set out in column 2 for that item.

Basic safety training — Fishing vessels

| | Column 1 | Column 2 |
|------|--|---|
| Item | Length of vessel and voyage classification | Document |
| 1 | Fishing vessel of not more than 12 metres engaged on a voyage in domestic waters | Domestic Vessel Safety Training Certificate Small Non-Pleasure Domestic Vessel Basic Safety Training Certificate Pleasure Craft Operator Card, in the case of sheltered waters voyages and to voyages less than two nautical miles from shore |
| 2 | Fishing vessel of less than 24 metres in length engaged on a voyage in domestic waters | Domestic Vessel Safety Training Certificate Small Non-Pleasure Domestic Vessel Basic Safety Training Certificate |
| 3 | Any other fishing vessel engaged on a voyage in limited waters | Domestic Vessel Safety Training Certificate |

Survival craft training

3099 The authorized representative and the master of a fishing vessel of 24 metres and more in registered length that is engaged on a voyage in unlimited waters must ensure that the member of the minimum complement holds a Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency if they are assigned to prepare and launch a survival craft, other than a manually launched life raft or manually launched inflatable rescue platform.

First aid

3100 (1) The master and the authorized representative of a fishing vessel must designate a member of the complement to provide first aid on board every fishing vessel.

Certificates

(2) The member of the complement designated to provide first aid on board the fishing vessel must hold one of the following certificates:

- (a) Certificate of Proficiency in Marine Advanced First Aid if the vessel is engaged
 - (i) on a voyage in unlimited waters,
 - (ii) on a voyage in limited waters, and is located beyond eight hours at the vessel's maximum service speed from an available medical facility located on shore,
 - (iii) on an international voyage that is beyond a near coastal voyage, Class 2; or
- (b) any first aid certificate recognized by a province or territory of Canada obtained following a course of at least two days duration, in all other cases.

DIVISION 6

Mobile Offshore Units (MOU)

Definitions

Definitions

3101 (1) The following definitions apply in this Division.

ballast control operator has the same meaning as in section 2 of the Annex to the IMO Resolution A.1079(28), *Recommendations for the Training and Certification of Personnel on Mobile Offshore Units (MOUs)* adopted on December 4, 2013. (*opérateur chargé de la commande du ballast*)

Category A personnel means visitors and special personnel who are on board an MOU for a period of time not exceeding 3 consecutive days and not exceeding 12 days in any 12 month period. (*personnes de la catégorie A*)

Category B personnel means special personnel, other than Category A personnel, who are on board an MOU without designated responsibility for the safety, security and survival of others. (*personnes de la catégorie B*)

Category C personnel means special personnel who are on board an MOU with designated responsibility for the safety, security and survival of others. (*personnes de la catégorie C*)

Category D personnel means those members of the complement who occupy any of the following positions on board an MOU:

- (a) master;
- (b) offshore installation manager;
- (c) barge supervisor;
- (d) ballast control operator;
- (e) maintenance supervisor;
- (f) deck officer;
- (g) engineer officer;
- (h) radio operator; and
- (i) ratings. (*personnes de la catégorie D*)

barge supervisor has the same meaning as in section 2 of the Annex to the IMO Resolution A.1079(28), *Recommendations for the Training and Certification of Personnel on Mobile Offshore Units (MOUs)* adopted on December 4, 2013. (*superviseur de barge*)

column-stabilized MOU means an MOU with the main deck connected to the underwater hull or footings by columns or caissons. (*UML stabilisée par colonne*)

designated offshore safety officer means a safety officer designated under the authority of section 53 of the *Canada Oil and Gas Operations Act*, or an operational safety officer jointly designated by the Federal Minister and the Provincial Minister under the authority of subsection 188(1) of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act* or subsection 193(1) of the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act*. (*agent de la sécurité extracôtière désigné*)

maintenance supervisor means the person responsible for the inspection, operation and testing of all machinery and equipment necessary for the marine activities of the MOU. (*chef de l'entretien*)

marine activities means activities related to navigation, heading control, position keeping and collision avoidance of the MOU, including mooring, dynamic positioning and ballasting. (*activités maritimes*)

non-self-propelled MOU means an MOU not fitted with mechanical means of propulsion to navigate independently. (*UML sans propulsion autonome*)

self-elevating MOU means an MOU with movable legs capable of raising its hull above the surface of the sea. (*UML auto-élevatrice*)

self-propelled MOU means an MOU fitted with a mechanical means of propulsion to navigate independently. (*UML autopropulsé*)

special personnel means all persons who are not passengers, masters, members of the crew or children under one year of age and who are carried on board in connection with the special purpose of that vessel or because of special work being carried out aboard that vessel. (*personnel spécial*)

surface MOU means an MOU with a ship- or barge-type displacement hull of single- or multiple-hull configuration intended for operation in the floating condition. (*UML de surface*)

waters under Canadian jurisdiction means

- (a) Canadian waters; and
- (b) waters in the exclusive economic zone of Canada. (*eaux de compétence canadienne*)

General

Minimum complement

3102 For the purposes of subsection 82(2) of the Act, an MOU is staffed with a crew that is sufficient and competent for the safe operation of the vessel when the MOU's complement is composed, at a minimum, of the following persons:

- (a) persons who occupy the positions that must be occupied to meet the requirements of this Part and that hold Canadian maritime documents or other documents as required for those positions;
- (b) persons in numbers specified by the Minister on the safe manning document of the MOU to take charge of safety and emergency duties set out in section 3005 and who have received training as specified by these Regulations;
- (c) additional necessary persons, specified by the Minister after taking into account the guidelines found in Annex 1 and Annex 2 of IMO Resolution A.1047(27).

Medical certificate

3103 (1) A person must not exercise the privileges or attempt to exercise the privileges of a certificate of competency, an endorsement or other certificate unless the person holds a valid medical certificate referred to in Part 2, if medical certificate is required for the issuance of the certificate of competency, endorsement or other certificate, that is required for the position that the person is to occupy

Prohibition — authorized representative and master

(2) The authorized representative and the master of a vessel must not employ a person on board their MOU who does not hold a medical certificate where required under subsection (1).

Exception — foreign certificates

(3) Despite subsection (1), a person who holds a certificate of competency issued by the government of a foreign state may hold a valid medical certificate issued or approved by a foreign maritime administration instead of the medical certificates referred to in Part 2 of these Regulations, if the certificate of competency has a Canadian endorsement attesting that the Minister has recognized the foreign certificate of competency in lieu of the certificate of competency required by this Part.

Positions that must be occupied on board

Positions

3104 (1) The following positions must be occupied on board an MOU:

- (a) a master;
- (b) an offshore installation manager;
- (c) a chief mate;
- (d) a barge supervisor;
- (e) a chief engineer officer;
- (f) a maintenance supervisor with duties and responsibilities related to the machinery necessary for the marine activities of the MOU;
- (g) a second engineer officer;
- (h) for each team performing the deck or navigational watch,
 - (i) a deck officer in charge of the watch,
 - (ii) a ballast control operator,
 - (iii) a deck watch rating, and
 - (iv) a person in charge of the radio watch; and
- (i) for each team performing the engine watch,
 - (i) an officer in charge of the engineering watch, and
 - (ii) an engine rating.

Exception

(2) Despite subsection (1), the following positions are not required to be occupied on a non-self-propelled, self-elevating MOU:

- (a) master;
- (b) chief mate;
- (c) ballast control operator;
- (d) chief engineer officer; and
- (e) second engineer officer.

Dual Capacity

3105 (1) A person must not occupy more than one position set out in section 3104.

Exceptions

(2) Despite subsection (1),

- (a) the person occupying the position of master may also occupy the position of offshore installation manager;
- (b) the person occupying the position of chief mate may also occupy the position of barge supervisor;
- (c) the person occupying the position of chief engineer officer may also occupy the position of maintenance supervisor with duties and responsibilities related to the machinery necessary for the marine activities of the MOU;
- (d) the person occupying the position of deck officer in charge of the watch, may also
 - (i) occupy the position of ballast control operator if the ballast controls are located within the bridge or the space in which the deck or navigational watch is conducted, and
 - (ii) be in charge of the radio watch.

Canadian Maritime Documents and Other Documents Required for Positions

Certificates of competency — STCW

3106 (1) A person who occupies a position set out in column 1 of an item of the table to this subsection on board an MOU whose safe manning document indicates a voyage set out in column 2 must hold the corresponding certificate of competency set out in column 3 for that voyage.

Certificates of competency — STCW

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| Column 1 | Column 2 | Column 3 | | | | | |
|---------------|---|---------------------------------|---|--|--|-------------------------------------|----------------|
| Item Position | Voyage indicated on the safe manning document | STCW Certificates of competency | | | | | |
| 1 | Master | Unlimited Voyage | Master Mariner | | | | |
| | | Near Coastal voyage Class 1 | Master Mariner Master Near Coastal | | | | |
| | | Near Coastal voyage Class 2 | Master Mariner Master Near Coastal | | | | |
| | | Sheltered Waters Voyage | Master Mariner Master Near Coastal | | | | |
| | Chief mate | Unlimited Voyage | Master Mariner Master Near Coastal Chief Mate | | | | |
| | | | Near Coastal voyage, class 1 | Master Mariner Master Near Coastal Chief Mate Chief Mate Near Coastal | | | |
| | | 2 | Near Coastal voyage, class 2 | Master Mariner Master Near Coastal Chief Mate Chief Mate Near Coastal | | | |
| | | | | Sheltered Waters Voyage | Master Mariner Master Near Coastal Chief Mate Chief Mate Near Coastal | | |
| | | | | | 3 | Deck officer in charge of the watch | Any voyage |
| | | | 4 | | | | |
| | | | | 5 | Chief engineer officer | Any voyage | Chief Engineer |

| | Column 1 | Column 2 | Column 3 |
|------|--|---|---------------------------------|
| Item | Position | Voyage indicated on the safe manning document | STCW Certificates of competency |
| 6 | Second engineer officer | Any voyage | Second Engineer |
| 7 | Officer in charge of the engineering watch | Any voyage | Engineer in Charge of the Watch |
| 8 | Engine rating | Any voyage | Engine-room Rating |

Exception — Chief Engineer

(2) Despite subsection (1), the person who occupies the position of chief engineer officer on a non-self-propelled MOU may hold the Second Engineer certificate of competency, instead of having the certificate referred to in column 3 of the table to that subsection.

Exception — Deck officer in charge of the watch

(3) Despite subsection (1), the person who occupies the position of deck officer in charge of the watch on a non-self-propelled, self-elevating MOU in the elevated condition is not required to hold the certificate referred to in column 3 of the table to that subsection if the person has received training to allow them to be capable of properly operating the navigational and radio equipment with which the MOU is fitted.

Certificates of competency — MOU and STCW

3107 A person who occupies a position set out in column 1 of an item of the table to this subsection on board an MOU of a category that is set out in column 2 must hold a certificate of competency set out in column 3 of the table for that category and, if the safe manning document indicates a voyage found in column 4, hold one of the certificates of competency set out in column 5 for that voyage.

Certificates of competency — MOU and STCW

| | Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------|---|--|-----------------------------------|--|---|
| Item | Position | Category | Certificates of competency — MOU | Voyage indicated on the minimum safe manning document | Certificates of competency — STCW |
| 1 | Offshore Installation Manager of an MOU | MOU engaged in drilling, completion, intervention or well maintenance activities | Offshore Installation Manager MOU | Unlimited voyage Near Coastal Voyage Class 1 Near Coastal Voyage Class 2 Sheltered Waters | Master Mariner Master Mariner Master Near Coastal Master Mariner Master Near Coastal Master Mariner Master Near Coastal |

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| Item | Column 1 Position | Column 2 Category | Column 3 Certificates of competency — MOU | Column 4 Voyage indicated on the minimum safe manning document | Column 5 Certificates of competency — STCW |
|------|--------------------------|--|--|---|---|
| | | MOU engaged in production or storage activities in waters under Canadian jurisdiction only FPSO/FSO MOU | Offshore Installation Manager MOU | | |
| | | | Offshore Installation Manager FPSO/FSO | | |
| | | MOU Engaged in production or storage activities in waters outside of Canadian jurisdiction | Offshore Installation Manager MOU | Unlimited voyage | Master Mariner |
| | | | Offshore Installation Manager FPSO/FSO | Unlimited voyage | Master Mariner |
| 2 | Barge Supervisor | MOU engaged in drilling, completion, intervention or well maintenance activities | Barge Supervisor MOU | Unlimited Voyage | Master Mariner |
| | | | | Near Coastal Voyage Class 1 | Master Mariner |
| | | | | | Master Near Coastal |
| | | | | Near Coastal Voyage Class 2 | Master Mariner |
| | | | | | Master Near Coastal |
| | | | | Sheltered Waters | Master Mariner |
| | | | | | Master Near Coastal |
| | | MOU which is engaged in production or storage activities in waters under Canadian jurisdiction only | Barge Supervisor MOU | Unlimited voyage | Master Mariner |
| | | | | Near Coastal Voyage Class 1 | Master Near Coastal |
| | | | Barge Supervisor FPSO/FSO | Unlimited Voyage | Master Mariner |
| | | | | Near Coastal Voyage Class 1 | Master Near Coastal |
| | | MOU which is engaged in production or storage activities in waters outside of Canadian jurisdiction | Barge Supervisor MOU | Unlimited voyage | Master Mariner |
| | | | Barge Supervisor FPSO/FSO | Unlimited voyage | Master Mariner |
| 3 | Ballast Control Operator | Surface MOU Column-stabilized MOU | Ballast Control Operator | | |
| 4 | Maintenance Supervisor | Surface MOU Column-stabilized MOU | Maintenance Supervisor MOU | Any voyage | Chief Engineer |
| | | Surface MOU Column-stabilized MOU | Maintenance Supervisor Self-elevating MOU | Any voyage | Second engineer |

Engineering certificates of competency — Ranking

3108 (1) Despite sections 3106 and 3107, the holder of a higher ranking engineering certificate of competency is entitled to occupy a position that requires any lower ranking certificate of competency.

Ranking

(2) For the purposes of subsection (1), the engineering certificates of competency are listed below in decreasing order of the level of competency acquired by its holder:

- (a) Chief Engineer;
- (b) Chief Engineer less than 6 000 kW Propulsion Power, Near Coastal;
- (c) Second Engineer;
- (d) Chief Engineer Officer less than 3 000 kW Propulsion Power;
- (e) Second Engineer Officer less than 3 000 kW Propulsion Power;
- (f) Engineer in Charge of the Watch;
- (g) Engineer in Charge of the Watch — restricted voyage;
- (h) Able Seafarer Engine; and
- (i) Engine-room Rating.

Certificates of proficiency for personnel of categories C and D

3109 (1) The OIM of an MOU must ensure that Category C personnel and Category D personnel hold the following certificates of proficiency issued within the last five years:

- (a) for those assigned to take charge of a survival craft, other than a fast rescue boat, the Survival Craft and Rescue Boats Other Than Fast Rescue Boats certificate of proficiency;
- (b) for those assigned to operate fast rescue boats, the Fast Rescue Boats certificate of proficiency;
- (c) for those in charge of the MOU, and those assigned to control firefighting operations, the Advanced Fire Fighting certificate of proficiency;
- (d) for those assigned to provide immediate first aid, the Marine Advanced First Aid certificate of proficiency;
- (e) for those assigned to take charge of medical care on board the MOU, the Marine Medical Care certificate of proficiency; and
- (f) for those with designated security duties on board the MOU, the Ship Personnel With Designated Security Duties certificate of proficiency.

Equivalent certificate

(2) Instead of holding a certificate of proficiency required by paragraphs (1)(a) to (e), Category C personnel and Category D personnel may hold a valid certificate establishing that they have successfully completed comparable training as required by those paragraphs, in Canada or outside of Canada, that the Minister determines is equivalent.

Documents to be kept on board

3110 The authorized representative of an MOU must ensure that the following documents in respect of each person on board the MOU are kept readily available for inspection on board the MOU by a marine safety inspector or designated offshore safety officer:

- (a) certificates of competency;
- (b) certificates of proficiency; and
- (c) training certificates required to be held under this Division.

Training

Safety induction training – Category A

3111 (1) The authorized representative of an MOU must ensure Category A personnel receive basic safety induction training each time they board the MOU so that they are able to

- (a) understand the MOU's organizational structure and chain of command;
- (b) communicate with other persons on board regarding basic safety matters;
- (c) understand safety information symbols, signs and alarm signals;
- (d) understand what measures need to be taken if
 - (i) a person falls overboard,
 - (ii) fire, smoke or hydrogen sulphide is detected, and
 - (iii) the general alarm or other alarms, including the fire alarm, the abandon ship or the toxic gas alarm, are sounded;
- (e) locate and don a lifejacket and, if provided on board, an immersion suit;
- (f) identify muster and embarkation stations and emergency escape routes;
- (g) raise the alarm and properly use a portable fire extinguisher;
- (h) take immediate action in the case of an accident or a medical emergency on board;
- (i) close and open the fire, weathertight and watertight doors fitted on the MOU, other than those for hull openings;
- (j) follow the MOU's safe work practices; and

- (k) respect the permit-to-work system applicable on board the MOU.

Exception

- (2) Despite subsection (1), Category A personnel do not have to receive basic safety induction training if they have received it with respect to that vessel within the last 12 months.

Training — personnel of categories B, C and D

3112 (1) The OIM of an MOU must ensure that Category B personnel, Category C personnel and Category D personnel

- (a) receive, before being assigned duties, related to the regular operation of the MOU, the training referred to in subsection 3111(1);
- (b) receive, before being assigned duties related to the regular operations of the MOU, training on hydrogen sulphide that meets the requirements of *TP 2293* if the MOU engages in
 - (i) drilling,
 - (ii) completion,
 - (iii) intervention,
 - (iv) well maintenance,
 - (v) production, or
 - (vi) storage activities; and
- (c) hold either an STCW Basic Safety certificate of proficiency or a document attesting they have the knowledge, understanding and proficiency as set out in the following tables:
 - (i) Table 5.5.1 of IMO Resolution A.1079(28), entitled *Specification of minimum standard of proficiency specifying personal survival*,
 - (ii) Table 5.5.4 of IMO Resolution A.1079(28), entitled *Specification of minimum standard of competence specifying personal safety*,
 - (iii) Table 5.5.5 of IMO Resolution A.1079(28), entitled *Specification of minimum standard of competence specifying social responsibilities*,
 - (iv) Table 5.5.2 of IMO Resolution A.1079(28), entitled *Specification of minimum standard of competence in fire prevention and firefighting*, and
 - (v) Table 5.5.3 of IMO Resolution A.1079(28), entitled *Specification of minimum standard of proficiency in elementary first aid*.

Additional training — first week of service

(2) The OIM must also ensure that before acquiring one week of service on board the MOU, Category B, Category C and Category D personnel receive training in

- (a) familiarization and orientation on the general arrangement of the MOU;
- (b) operating systems of the MOU;
- (c) equipment and procedures on board the MOU;
- (d) safety and emergency plans on board the MOU; and
- (e) alarm procedures for emergency situations on board the MOU.

Record of Training

3113 (1) The authorized representative of an MOU must ensure that a record of training that contains the following information is kept readily available for inspection on board the MOU by a marine safety inspector or a designated offshore safety officer:

- (a) the name of each person who has received the training referred to in sections 3111 and 3112;
- (b) the equipment with which they are trained;
- (c) the subject-matter they were trained on; and
- (d) the days on which they were trained.

Retention of information

(2) The authorized representative must ensure that the information in the record of training is kept

- (a) for one year, in respect of information related to Category A personnel; and
- (b) for five years, in respect of information related to Category B personnel, Category C personnel and Category D personnel.

Watchkeeping Arrangement

Navigational watch

3114 The OIM of an MOU must ensure that a navigational watch is maintained on the MOU in accordance with Parts 3, 4 and 4-1 of Section A-VIII/2 of the STCW Code.

Engineering watch

3115 The OIM of an MOU must ensure that an engineering watch is maintained on the MOU in accordance with Parts 3, 4 and 4-2 of Section A-VIII/2 of the STCW Code.

Unattended Machinery Spaces

3116 An OIM of an MOU may operate with periodically unattended machinery spaces if

- (a) the MOU meets the standards of a classification society, authorized by the Minister under subsection 12(1) of the Act to issue Canadian maritime documents or carry out inspections, is classified by that classification society and has a certificate delivered by that classification society that indicates that it can operate with periodically unattended machinery spaces; and
- (b) the automatic control and monitoring systems in those spaces are inspected in accordance with the rules of the classification society at intervals not exceeding 12 months.

DIVISION 7

Air Cushion Vessels

General

Minimum complement

3117 For the purposes of subsection 82(2) of the Act, an ACV is staffed with a crew that is sufficient and competent for the safe operation of the vessel when the ACV's complement is composed, at a minimum, of the following persons:

- (a) persons who occupy the positions that must be occupied to meet the requirements of this Part and that hold Canadian maritime documents or other documents as required for those positions;
- (b) persons in numbers specified by the Minister on the safe manning document of the ACV to take charge of safety and emergency duties set out in section 3005 and who have received training as specified by these Regulations;
- (c) additional necessary persons, specified by the Minister after taking into account the guidelines found in Annex 1 and Annex 2 of IMO Resolution A.1047(27).

Medical certificate

3118 (1) A person must not exercise the privileges or attempt to exercise the privileges of a certificate of competency, an endorsement or other certificate unless the person holds a valid medical certificate referred to in Part 2, if a medical certificate is required for the issuance of the certificate of competency, endorsement or other certificate, that is required for the position that the person is to occupy.

Prohibition — authorized representative and master

(2) The authorized representative and the master of an ACV must not employ a person on board their ACV who does not hold a medical certificate where required under subsection (1).

Exception — foreign certificates

(3) Despite subsection (1), a person who holds a certificate of competency issued by the government of a foreign state may hold a valid medical certificate issued or approved by a foreign maritime administration instead of the medical certificates referred to in Part 2 of these Regulations, if the certificate of competency has a Canadian endorsement attesting that the Minister has recognized the foreign certificate of competency in lieu of the certificate of competency required by this Part.

Positions that must be occupied on board

3119 (1) Subject to subsection (2), the following positions must be occupied on board an air cushion vessel:

- (a) a master;
- (b) a chief mate if the air cushion vessel
 - (i) is of at least 40 000 kg all up weight, or
 - (ii) carries more than 50 persons; and
- (c) a chief engineer officer in the following cases:
 - (i) in the case of an air cushion vessel of more than 1 000 kg but less than 10 000 kg all up weight that is not carrying passengers or that is certified to carry 50 or fewer passengers, a chief engineer officer who holds an Air Cushion Vessel Engineer, Type Rating Class I or Class II certificate of proficiency, or
 - (ii) in the case of an air cushion vessel of an all up weight of at least 10 000 kg or of an air cushion vessel that is certified to carry more than 50 passengers, a chief engineer officer who holds an Air Cushion Vessel Engineer, Type Rating Class I certificate of proficiency.

Exception

(2) The requirement set out in subsection (1) to have the position of chief engineer officer occupied on board an air cushion vessel does not apply during a voyage carried out by the vessel in the following cases:

- (a) in the case of an air cushion vessel of more than 1 000 kg but less than 10 000 kg all up weight that is not carrying passengers or that is certified to carry 50 or fewer passengers,
 - (i) if the vessel is carrying passengers and is less than 5 nautical miles from shore or less than 15 nautical miles from a place of refuge, or
 - (ii) if the vessel is not carrying passengers and is less than 15 nautical miles from a place of refuge; or
- (b) in the case of an air cushion vessel that is more than or equal to 10 000 kg all up weight or certified to carry more than 50 passengers,

- (i) if the vessel is carrying passengers and is less than 5 nautical miles from shore or more than 15 nautical miles from a place of refuge, or
- (ii) if the vessel is not carrying passengers and is less than 20 nautical miles from a place of refuge.

Procedures for verifications, inspection and maintenance

(3) If the exception set out in subsection (2) applies to a voyage, the authorized representative must prepare written instructions that set out the pre-departure procedures for verifications, inspection and maintenance of the air cushion vessel. The details of the procedures and the frequency at which they must be completed must be in accordance with the manufacturer’s recommendations.

Chief Engineer officer — procedures and retention of records

(4) The authorized representative of an air cushion vessel must ensure that the chief engineer officer referred to in paragraph (1)(c), as the case may be, completes the procedures referred to in subsection (3) and that records of those completed procedures are maintained for the duration of the air cushion vessel’s period of service.

Certificate of competency — Near Coastal voyage, Class 2

3120 While on board an air cushion vessel that is engaged on a near coastal voyage, class 2, a person who occupies a position set out in column 1 of an item of the table to this section must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Near Coastal Voyage, Class 2

| Column 1 | Column 2 | Column 3 |
|----------|--|---|
| Item | Position | Weight of ACV (kg) |
| | | Certificate of Competency |
| | | Master Mariner |
| | | Master, Near Coastal |
| | ACV of 100 000 kg or more all up weight | Master 3000 Gross Tonnage |
| | | Master 3000 Gross Tonnage, Near Coastal |
| | | Master 3000 Gross Tonnage, Domestic |
| 1 | Master | Master Mariner |
| | | Master, Near Coastal |
| | ACV from 50 000 kg to less than 100 000 kg all up weight | Master 3000 Gross Tonnage |
| | | Master 3000 Gross Tonnage, Near Coastal |
| | | Master 3000 Gross Tonnage, Domestic |
| | | Master 500 Gross Tonnage |

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| Item | Position | Column 2 Weight of ACV (kg) | Column 3 Certificate of Competency |
|------|------------|---|--|
| | | ACV from 10 000 kg to less than 50 000 kg | Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic Master 500 Gross Tonnage Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic Master, Vessel of Less than 24 Metres in Length, Domestic |
| | | ACV of less than 10 000 kg | Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic Master 500 Gross Tonnage Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic Master, Vessel of Less than 24 Metres in Length, Domestic Master, Limited for a Vessel of 18 Metres in Length or More |
| 2 | Chief mate | ACV | Chief Mate Chief Mate, Near Coastal Chief Mate 500 Gross Tonnage, Domestic Chief Mate, Vessel of Less than 24 Metres, Domestic |

Certificate of competency — sheltered waters voyage

3121 While on board an air cushion vessel that is engaged on an sheltered waters voyage, a person who occupies a position set out in column 1 of an item of the table to this section must, if the vessel is of a category set out in column 2 of that item, hold one of the certificates of competency set out in column 3 of that item.

Sheltered Waters Voyage

| Item | Position | Column 2 Weight of ACV (kg) | Column 3 Certificate of Competency |
|------|----------|---|--|
| | | ACV of 100 000 kg or more all up weight | Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic |
| | | ACV from 50 000 kg to less than 100 000 kg all up weigh | Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic Master 500 Gross Tonnage Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic |
| 1 | Master | ACV from 10 000 kg to less than 50 000 kg | Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic Master 500 Gross Tonnage Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic Master, Vessel of Less than 24 Metres in Length, Domestic |
| | | ACV of less than 10 000 kg | Master Mariner Master, Near Coastal Master 3000 Gross Tonnage Master 3000 Gross Tonnage, Near Coastal Master 3000 Gross Tonnage, Domestic Master 500 Gross Tonnage Master 500 Gross Tonnage, Near Coastal Master 500 Gross Tonnage, Domestic |

| Item | Position | Column 1 Column 2 Weight of ACV (kg) | Column 3 Certificate of Competency |
|------|------------|--|---|
| 2 | Chief mate | ACV | Master, Vessel of Less than 24 Metres in Length, Domestic Master, Limited for a Vessel of 18 Metres in Length or More Chief Mate Chief Mate, Near Coastal Chief Mate 500 Gross Tonnage, Domestic Chief Mate, Vessel of Less than 24 Metres, Domestic |

DIVISION 8

Cable Ferries

Positions that must be occupied on board

Positions

3122 The following positions must be occupied on board a cable ferry:

- (a) for a cable ferry carrying no passengers, a master;
- (b) for a cable ferry carrying 50 passengers or less, a master;
- (c) for a cable ferry carrying more than 50 passengers and not more than 100 passengers:
 - (i) a master, and
 - (ii) a rating.

Canadian Maritime Documents and Other Documents Required for Positions

Documents

3123 A person who occupies the position of master on board a cable ferry must hold the Small Vessel Operator certificate of competency and if the cable ferry is carrying at least one passenger, the Small Vessel Operator passenger endorsement.

PART 4

Maritime Labour Standards

Definitions and Interpretation

Definitions

4000 The following definitions apply in this Part.

Act means the *Canada Shipping Act, 2001*. (*Loi*)

Convention means the Maritime Labour Convention, 2006, as amended from time to time. (*Convention*)

crew means the seafarers that are responsible for or that perform duties on board a vessel, associated with the safe navigation, operation, pollution prevention, security, food preparation, cargo operations of the vessel, or control of passengers on the vessel. (*équipage*)

domestic voyage means

- (a) a sheltered waters voyage;
- (b) an inland voyage;
- (c) a Near coastal, Class 2 voyage; or
- (d) a Near Coastal, Class 1 voyage that is accomplished exclusively in the
 - (i) Gulf of St-Lawrence and in the Cabot Strait, west of a line that is 25 nautical miles seaward of a straight line joining Cape Canso at 45°18'22" N, 60°56'17" W and Cape Pine at 46°36'49" N, 53°32'30" W,
 - (ii) Queen Charlotte Sound and Hecate Strait, east of a line that is 25 nautical miles seaward of a straight line joining Winifred Island at 50°39'40" N, 128°22'00" W, and Kunghit Island at 51°56' 37" N, 131° 01' 52" W, or
 - (iii) waters that are contiguous to the south east coast of Vancouver Island that are located north of a line joining 48°21'30" N, 125°24'00" W to 48°07'12" N, 126°02'08" W to 49°42' 00" N, 128°04'43". (*voyage de navigation intérieure*)

hours of rest means rest time outside hours of work and does not include short breaks of less than 30 minutes. (*heures de repos*)

hours of work means time during which seafarers are required to do work on account of the vessel. (*heures de travail*)

inland voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage en eaux internes*)

near coastal voyage, Class 1 has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage à proximité du littoral, classe 1*)

near coastal voyage, Class 2 has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage à proximité du littoral, classe 2*)

seafarer means any person who is employed, engaged or works in any capacity on board a vessel and whose ordinary place of work is on board a vessel. (*marin ou gens de mer*)

seafarer recruitment and placement service means any person, company, institution, agency or other organization, in the public or the private sector, that is engaged in recruiting seafarers on behalf of shipowners or placing seafarers with shipowners. (*service de recrutement et de placement des marins*)

sheltered waters voyage has the same meaning as in section 1 of the *Vessel Safety Certificates Regulations*. (*voyage en eaux abritées*)

shipowner means

- (a) the owner of a vessel; or
- (b) the manager, bare-boat charterer of a vessel or any other person, who has assumed responsibility for the operation of a vessel from the owner and who, on assuming that responsibility, has agreed to take over the duties and responsibilities imposed on shipowners under the Convention; (*armateur*)

Application

4001 (1) Except as otherwise provided in this Part and subject to subsections (2) to (4), this Part applies in respect of

- (a) Canadian vessels everywhere and foreign vessels in Canadian waters; and
- (b) seafarer recruitment and placement services that recruit or place persons for work on
 - (i) Canadian vessels that are engaged on a voyage other than a domestic voyage, or
 - (ii) foreign vessels.

Exception — vessels of primitive build

(2) This Part does not apply in respect of wooden vessels of primitive build.

Exception — fishing vessels

(3) This Part does not apply in respect of fishing vessels, except as provided in the following provisions:

- (a) sections 4002 to 4004;
- (b) section 4021;
- (c) subsections 4024(3) to (6);

- (d) subsections 4025(1) and (3); and
- (e) section 4026.

DIVISION 1

Requirements Regarding Age

Minimum Age

4002 The shipowner of a vessel must ensure that every person who is engaged, employed or works on board the vessel is at least 16 years of age or, if the vessel is a fishing vessel that is a Canadian vessel, a sail training vessel or a recreational boating school vessel, at least 15 years of age.

Prohibition — dangerous work

4003 The master and the shipowner of a vessel, including a fishing vessel of a 100 gross tonnage or more that is a Canadian vessel, are prohibited from allowing any person under 18 years of age who is engaged, employed or works on board the vessel to perform any work that is likely to jeopardize their health or safety.

Prohibition — night work

4004 (1) The master and the shipowner of a vessel, including a fishing vessel of 100 gross tonnage or more that is a Canadian vessel, are prohibited from allowing any person under 18 years of age who is engaged, employed or works on board the vessel to work during the night.

Exceptions

- (2) Despite subsection (1), the master or shipowner may permit a person that is 17 years of age to work on board a vessel during the night if
 - (a) the training of the person, in accordance with an approved training program, would be impaired; or
 - (b) the specific nature of the person's duties or an approved training program requires the person to work during that period and the work will not jeopardize the person's health or well-being.

Night

- (3) For the purposes of subsections (1) and (2), night means any period of at least nine hours that includes the period between 11 p.m. one day and 6 a.m. on the following day.

Circumstances determined by the Minister

(4) For the application of paragraph (2)(b), the Minister may determine after consultation with the shipowners' and seafarers' organizations concerned, if any, circumstances in which the work would jeopardize the person's health or well-being.

DIVISION 2

Seafarer Recruitment and Placement Services

Prohibition

4005 (1) No person may operate a seafarer recruitment and placement service unless they hold a licence issued for that purpose by the Minister.

Requirements for shipowner

(2) The shipowner of a vessel must ensure that no person is recruited or placed for work on board the vessel by a seafarer recruitment and placement service unless

- (a) if the service carries on business in Canada, it holds a Seafarer Recruitment and Placement Service Licence issued by the Minister;
- (b) if the service carries on business in a foreign state that has ratified the Convention, the requirements set out in Standard A1.4 of the Convention are met; or
- (c) if the service carries on business in a foreign state that has not ratified the Convention, the requirements set out in Standard A1.4 of the Convention are met.

Exemption

(3) A seafarer recruitment and placement service operated by a trade union that is certified under the *Canada Labour Code* by the Canada Industrial Relations Board as the bargaining agent for the employees in a bargaining unit is exempt from subsection (1).

Licence

4006 The Minister must, on application, issue a Seafarer Recruitment and Placement Service Licence if

- (a) the applicant has procedures in place to ensure compliance with Part 1 of the *Personal Information Protection and Electronic Documents Act*;
- (b) the applicant's staff responsible for the supervision of recruitment and placement services for a vessel's crew or master has the training and knowledge described in paragraph 1(f) of *Guideline B1.4.1* of the Convention;
- (c) the applicant has a system of quality standards in place;

- (d) the applicant has insurance sufficient to compensate seafarers for monetary loss that they may incur as a result of a failure of the applicant or the shipowner to meet their obligations to the seafarers under their contract of employment; and
- (e) the applicant has verifiable operational practices in place that address the matters listed in paragraph 2 of *Guideline B1.4.1* of the Convention.

Requirements for Licensees

4007 (1) Every licensee must

- (a) maintain at their place of business an up-to-date register of all seafarers they recruit or place;
- (b) ensure that every seafarer recruited or placed by them is qualified and holds the documents necessary for the position concerned, and that the person's contract of employment is in accordance with the applicable laws and regulations and any applicable collective agreement;
- (c) ensure that every seafarer recruited or placed by them is informed of their rights and obligations under their contract of employment before or in the process of engagement and that proper arrangements are made for them to examine their contract of employment before and after they are signed and for them to receive a copy of the contract;
- (d) ensure, as far as feasible, that the shipowner has the means to protect seafarers recruited or placed by them for work on board the vessel from being stranded in a foreign port; and
- (e) examine and respond to any complaint concerning their activities and advise the Minister of any unresolved complaint.

Prohibition — lists

- (2) No licensee may use means, mechanisms or lists intended to prevent or deter any person from gaining employment on board a vessel for which they are qualified.

Prohibition — Fees or Other Charges

4008 No person may impose, directly or indirectly, fees or other charges on any seafarer for recruiting, placing or providing employment to them on board a vessel, other than the cost of obtaining a medical certificate, a seafarer's record of sea service or a passport or any other similar personal travel document other than a visa.

DIVISION 3

Conditions of Employment

Contracts of Employment

Requirements — shipowner

4009 The shipowner of a vessel must ensure that

- (a) each seafarer working on board a vessel is provided with decent working and living conditions on board the vessel;
- (b) each seafarer is informed of their rights and obligations under their contract of employment before or in the process of engagement and that arrangements are made for them to examine their contract of employment before and after it is signed and is given an opportunity to communicate with a person of their choice about their rights and obligations;
- (c) each seafarer employed by the shipowner is in possession of a signed original of their contract of employment which sets out the conditions referred to in paragraph (a);
- (d) each seafarer not employed by the shipowner but otherwise employed, engaged or working on board the vessel is in possession of a signed original of their contract of employment which sets out the conditions referred to in paragraph (a);
- (e) in respect of all seafarers employed on board the vessel, a copy of each employment contract is kept on board the vessel and is readily available for inspection; and
- (f) each seafarer is provided with a record of their sea service.

Articles of agreement

Articles of agreement

4010 (1) For the purpose of subsection 91(1) of the Act, the master of a Canadian vessel must enter into articles of agreement if the vessel is of 100 gross tonnage or more and engages in a voyage other than a domestic voyage.

Information

- (2) In addition to the information required by subsection 91(2) of the Act, articles of agreement must contain the following information:
- (a) the crew member's date and place of birth;
 - (b) the shipowner's name and address;
 - (c) the place at which and the date on which the articles of agreement were entered into;
 - (d) the capacity in which the crew member is to be employed;
 - (e) the amount of the crew member's wages or the formula for calculating them if they are calculated using a formula;
 - (f) the amount of the crew member's paid annual leave or the formula for calculating it if it is calculated using a formula;
 - (g) the duration of the agreement and the conditions of the termination, including

- (i) if the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which must not be less for the shipowner than for the crew member,
- (ii) if the agreement has been made for a definite period, the date fixed for its expiry, and
- (iii) if the agreement has been made for a voyage, the port of destination and the time that has to expire after arrival before the crew member may be discharged;
- (h) the health and social security protection benefits to be provided to the crew member by the shipowner;
- (i) the crew member's entitlement to repatriation; and
- (j) reference to the crew member's collective agreement, if applicable.

Collective Agreement

4011 If a collective agreement is part of the articles of agreement of a crew member of a Canadian vessel of 100 gross tonnage or more that is engaged in a voyage other than a domestic voyage, the vessel's master must ensure that a copy of the collective agreement is available on board in both official languages.

Visas

Visas

4012 The authorized representative of a Canadian vessel or the shipowner of a foreign vessel must pay for any visa required for seafarers on board a vessel, in the course of their employment.

Termination of Employment and Payment of Wages and Compensation

Application

4013 Sections 4014 to 4019 apply in respect of Canadian vessels that are engaged on a voyage other than a domestic voyage.

Termination of Employment by Employer

Requirements of master

4014 (1) Subject to any collective agreement that applies to the seafarer, the master of a vessel who intends to terminate a seafarer's employment must give the seafarer

- (a) a notice in writing at least one week before the intended date of termination of employment; or
- (b) an indemnity equal to one week's wages at their regular rate of pay for their regular hours of work.

Non application

- (2) Subsection (1) does not apply if
- (a) section 230 of the *Canada Labour Code* applies;
 - (b) the seafarer's employment is terminated for just cause; or
 - (c) the master and the seafarer agree on a shorter notice of termination of employment.

Termination of Employment by Seafarer

Notice — resignation

4015 (1) Subject to any collective agreement that applies to the seafarer, a seafarer employed on board a vessel must give the vessel's master at least one week's notice of the seafarer's intention to terminate their employment.

Non-application

- (2) Subsection (1) does not apply if
- (a) the seafarer is unable to perform their duties by reason of illness or injury;
 - (b) the seafarer must terminate their employment on compassionate grounds; or
 - (c) the master and the seafarer agree on a shorter notice of termination.

Monthly Payment and Accounting

Wages

4016 (1) The shipowner of a vessel must ensure that every seafarer's wages are paid at regular intervals in accordance with any applicable collective agreement but in no case less than on a monthly basis.

Monthly statement

(2) The shipowner of a vessel must give every seafarer a monthly statement of the sums due and the amounts paid, including the amount of wages. The statement must indicate the rate of exchange used if payment is made in a currency or at a rate different from the one agreed to.

Payment on Termination of Employment

Payment of wages

4017 The shipowner of a vessel must ensure that every seafarer is paid any wages due when their employment is terminated without undue delay.

Transmittal of Wages

Measures

4018 (1) The shipowner of a vessel must take measures to provide every seafarer with a means to transmit all or part of their wages to their families, dependants, assignees or successors. The measures may include a system to enable seafarers, when they enter into their contract of employment or during the course of their employment, to allot a portion of their earnings to their families, dependants, assignees or successors by bank transfers or similar means.

Remittance of allotments

(2) The shipowner of a vessel must ensure that the allotments are remitted in due time and directly to the person or persons nominated by the seafarer.

Market rate of exchange

(3) The shipowner of a vessel must ensure that any charge for the measures taken under subsection (1) is reasonable and that the rate of currency exchange is determined in accordance with any applicable collective agreement or at the prevailing market rate and is not unfavourable to the seafarer.

Compensation of Seafarers

Indemnity — loss or foundering

4019 (1) The shipowner of a lost or foundered vessel must pay to every seafarer who was on board the vessel immediately before the loss or foundering an indemnity against unemployment resulting from the shipwreck.

Rate and amount of indemnity

(2) The indemnity must be paid for the days during which every seafarer remains unemployed at the same rate as the wages payable under the contract of employment and the total indemnity payable may be limited to two months' wages.

Legal remedies

(3) Seafarers must have the same legal remedies for recovering the indemnities as they have for recovering arrears of wages.

Shipowner's Liability

Property

4020 (1) The shipowner of a Canadian vessel must take measures to safeguard the property left on board by a sick, injured or deceased seafarer, and to return it to the seafarer or the seafarer's next of kin.

Documentary evidence

(2) The shipowner of a Canadian vessel must ensure that documentary evidence of financial security that meets the minimum standards set out in paragraph 1 of Standard A4.2.1 of the Convention is conspicuously displayed on board the vessel in a location where it is available for seafarers to access it.

Hours of Work and Hours of Rest

Domestic voyage and fishing vessels

4021 (1) The master of a Canadian vessel engaged on a domestic voyage and the master of a fishing vessel of 100 gross tonnage or more that is a Canadian vessel engaged on any voyage must ensure that

- (a) every seafarer is provided with the following minimum hours of rest:
 - (i) at least 6 consecutive hours in any 24-hour period, and
 - (ii) at least 16 hours in any 48-hour period; and
- (b) the interval between consecutive periods of rest must not exceed 18 hours.

Rest period

(2) For the application of subsection (1), for vessels where the seafarer is not provided with adequate accommodation to provide rest on board, the rest period must not include travel to and from the seafarer's residence or other place of rest.

Voyages other than domestic voyages

4022 Subject to section 4023, the master of a Canadian vessel engaged on a voyage other than a domestic voyage and the master of a foreign vessel must ensure that

- (a) every seafarer meets the following requirements:
 - (i) does not work more than 14 hours in any 24-hour period and not more than 72 hours in any 7-day period, or
 - (ii) is provided with rest of at least 10 hours in any 24-hour period and at least 77 hours in any 7-day period;
- (b) the hours of rest are divided into no more than two periods, one of which is at least 6 hours in length; and
- (c) the interval between two consecutive periods of rest does not exceed 14 hours.

Voyages other than domestic voyages — special duties

4023 The master of a Canadian vessel engaged on a voyage other than a domestic voyage and the master of a foreign vessel must ensure that

- (a) each seafarer assigned duty as an officer in charge of a watch or a rating forming part of a watch and any seafarer whose duties involve designated safety, prevention of pollution or security duties must be provided with the following minimum hours of rest:
- (i) at least 10 hours in any 24-hour period,
 - (ii) at least 77 hours in any 7-day period;
- (b) the hours of rest are divided into no more than two periods, one of which is at least 6 hours in length; and
- (c) the interval between two consecutive periods of rest does not exceed 14 hours.

General requirement

4024 (1) The master of a vessel must ensure that the danger posed by the fatigue of the master or other seafarers, especially those whose duties involve navigational safety, being in charge of a watch and the safe and secure operation of the vessel, is taken into account when determining the hours of work and rest.

Non-application — collective agreement

(2) The master of a vessel is not required to comply with sections 4021 to 4023, if the applicable collective agreement provides for hours of work and rest on a basis no less favourable to seafarers.

Non-application — drills

(3) The master of a vessel, including a fishing vessel of 100 gross tonnage or more that is a Canadian vessel is not required to comply with sections 4021 to 4023 when conducting musters, fire-fighting drills, survival craft drills or other drills in accordance with regulations made under the Act if the master does so in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

Compensatory rest period — seafarer

(4) The authorized representative and master of a vessel, including a fishing vessel of 100 gross tonnage or more that is a Canadian vessel must ensure that a seafarer who is on call receives a compensatory rest period, if the rest period planned in accordance with sections 4021 to 4023 is disturbed by call-outs to work.

Compensatory rest period — master

(5) The authorized representative of a vessel, including a fishing vessel of 100 gross tonnage or more that is a Canadian vessel must ensure that the master who is on call receives a compensatory rest period, if the rest period planned in accordance with sections 4021 to 4023 is disturbed by call-outs to work.

Consecutive rest hours

(6) The compensatory rest period referred to in subsections (4) and (5) must allow the master and the seafarer to benefit from a number of consecutive hours of rest that is at least equal to the consecutive hours of rest required by sections 4021 to 4023.

Suspension of schedule

(7) The master of a vessel is not required to comply with sections 4021 to 4023 or the provisions of the collective agreement related to hours of work and hours of rest, if it is required to ensure the immediate safety of the vessel, of persons or cargo on board, or for the purpose of giving assistance to other vessels or persons in distress at sea. As soon as feasible, the master must ensure that every seafarer and the master who has performed work in a scheduled rest period is provided with a compensatory rest period.

Records — Canadian vessel

4025 (1) The master of a Canadian vessel and the master of a fishing vessel of 100 gross tonnage or more that is a Canadian vessel must keep a record of the daily hours of work or hours of rest for every crew member and themselves in the form and manner established by the Minister, in both official languages.

Records — foreign vessel

(2) The master of a foreign vessel must keep a record of the daily hours of rest for every crew member and themselves that is maintained in accordance with paragraph 7 of Section A–VIII/1 of the STCW Code, in English and the working language of the vessel.

Records — inspection

(3) The records referred to in subsections (1) and (2) must be available for inspection by an inspector during the retention period set out in subsection (4).

Retention period

(4) The record mentioned in subsections (1) and (2) must be retained for 24 months after the daily hours of the crew member and master are recorded unless in the case of a foreign vessel, a different retention period is set by the administration of the state whose flag the vessel is entitled to fly.

Copy of records

(5) The master must provide crew members with a copy of the records pertaining to them and endorsed by the master, or person authorized by the master, and by the crew member.

Table and schedules

4026 (1) The master of a vessel, including a fishing vessel of 100 gross tonnage or more that is a Canadian vessel must ensure that a table with the shipboard working arrangements and watch schedules are posted in a conspicuous place on board the vessel. For every position on board, the table and watch schedule must contain

- (a) the schedule of service at sea and in port; and
- (b) the maximum hours of work or the minimum hours of rest required by sections 4021 to 4023 or any applicable collective agreement.

Languages

- (2) The table and watch schedule must be in English and the working language of the vessel.

Copy of the Maritime Labour Convention

4027 The shipowner of a Canadian vessel making a voyage other than a domestic voyage must ensure that a copy of the Convention is available on board.

Paid Annual Leave

Application

4028 (1) This section applies to Canadian vessels engaged on a voyage other than a domestic voyage.

Paid annual leave — Time

- (2) Subject to any applicable collective agreement provision, the vessel's shipowner, after consultation with the seafarer or their representative and, as far as feasible, in agreement with one of them, must determine when the seafarer takes their paid annual leave.

Paid annual leave — place

- (3) Every seafarer has the right to take their annual leave in the place to which they are entitled to be repatriated or, with the agreement of the shipowner, a place with which they have a substantial connection.

Paid annual leave — other place

- (4) If a seafarer is required to take their paid annual leave from a place other than a place referred to in subsection (3), the shipowner must ensure that
 - (a) they are entitled to free transportation to a place referred to in subsection (3), including the subsistence and other costs directly involved in their return; and
 - (b) the travel time involved is not deducted from their paid annual leave.

Extreme emergency

- (5) The shipowner of a vessel must ensure that no seafarer who is on paid annual leave is recalled unless there is an extreme emergency and only if the seafarer consents.

Shore Leave

Shore leave

4029 (1) Subject to the operational requirements of the vessel, the master of a vessel must grant seafarers shore leave to benefit their health and well-being.

Welfare facilities

(2) The master of a vessel must ensure that when the vessel is in a port where shore-based welfare facilities and services are available, a seafarer may visit the facilities or that the shore-based welfare providers may visit seafarers on the vessel.

Return

Circumstances

4030 (1) Despite subsection 94(1) of the Act, a shipowner of a vessel must ensure that seafarers are returned to a destination referred to in subsection (4), at the shipowner's expense, in the following circumstances:

- (a) the seafarer's contract of employment expires;
- (b) the seafarer's contract of employment is terminated by the seafarer for justified reasons or by the shipowner;
- (c) the seafarer is no longer able to carry out their duties under their contract of employment or cannot be expected to carry them out in the specific circumstances;
- (d) the seafarer is left behind by the vessel; or
- (e) the seafarer has completed a service period of 325 consecutive days.

Additional circumstances

(2) For the purposes of paragraphs 1(b) and (c), the cases described in paragraph 1 of *Guideline B2.5.1* of the Convention, as well as the actual total loss or constructive total loss of the vessel are considered justified reasons or specific circumstances, as the case may be.

Duty to make arrangements

(3) For the purposes of subsection (1), the shipowner must ensure that arrangements are made to return the seafarer, as early as practicable given the circumstances.

Destinations

(4) Unless otherwise stated in their contract of employment or collective agreement, a seafarer is entitled to choose from one of the following destinations to be returned to:

- (a) the place where the seafarer first came on board the vessel;
- (b) the place where the seafarer entered into the contract of employment;

- (c) the international airport closest to the seafarer's domicile: or
- (d) a place mutually agreed upon by the seafarer and the shipowner.

Covered expenses

- (5) For the purposes of subsection (1), the shipowner must pay the following expenses related to a seafarer's return to a destination referred to in subsection (4):
- (a) travel by appropriate and expeditious means, including by air;
 - (b) provision of food and accommodation until the seafarer has arrived at their destination;
 - (c) transportation of the seafarer's personal effects, up to a maximum of 30kg;
 - (d) medical treatment when necessary until the seafarer has arrived to the destination;
 - (e) wages and allowances from the moment the seafarer leaves the vessel until they reach their destination, if stipulated in their contract of employment or collective agreement; and
 - (f) any other reasonable costs and charges related to the seafarer's return.

Service period

- (6) For the purposes of paragraph (1)(e), the service period of a seafarer begins on the date the seafarer joins the complement of a vessel and ends on the earliest of
- (a) the end of the period set out in the seafarer's contract of employment or collective agreement;
 - (b) the seafarer leaves the vessel for the purpose of taking any type of leave other than shore leave; or
 - (c) the seafarer's contract of employment is terminated by the shipowner or by the seafarer.

Failure to make arrangements

- (7) If the shipowner of a vessel fails to make arrangements for or pay the expenses of returning seafarers who are entitled to be returned under subsection (1),
- (a) the Minister may act in place of the shipowner in respect of the following seafarers:
 - (i) a seafarer on board a Canadian vessel,
 - (ii) a Canadian citizen or permanent resident on board a foreign vessel, if the flag state of the foreign vessel fails to make the arrangements, or
 - (iii) a seafarer on board a foreign vessel in the territorial sea of Canada and the internal waters of Canada, if the flag state of the foreign vessel or the State of which they are a national fails to make arrangements; and

- (b) any expenses incurred by the Minister constitute a debt due to Her Majesty in right of Canada by the shipowner and may be recovered as such in a court of competent jurisdiction.

Minors

- (8) If it becomes apparent that a seafarer, under the age of 18, is unsuited to life at sea during their first service period on board a Canadian vessel, the shipowner of the vessel must give the seafarer the opportunity to be returned, at no expense to the seafarer, to a destination referred to in subsection (4).

Scope of duty to return

4031 The shipowner of a vessel's duty to return the seafarer ends when

- (a) the seafarer is returned in accordance with section 4030;
- (b) the shipowner makes reasonable arrangements for the seafarer's return which are unsuccessful because of the seafarer's unreasonable conduct;
- (c) the shipowner has used reasonable endeavours to contact the seafarer for a period of three months or more, but has been unable to make such contact; or
- (d) the seafarer confirms in writing to the shipowner that the seafarer's return is not required.

Prohibition — advance payment

4032 (1) The shipowner of a Canadian vessel must ensure that no seafarer is required to make an advance payment at the beginning of their employment towards the expenses referred to in subsection 4030(5) and that such expenses are not recovered from the seafarer's wages, except where the seafarer is found to be in serious violation of their obligations under their contract of employment or collective agreement.

Prohibition — deductions from leave

- (2) The authorized representative must ensure that the hours spent by the seafarer waiting to be returned or hours spent being returned in accordance with section 4030 are not deducted from the accumulated paid leave accrued.

Copy

4033 The authorized representative of a Canadian vessel must carry on board and make available to seafarers a copy of sections 4030 to 4032, in both official languages.

Insurance

Insurance

4034 (1) The shipowner of a Canadian vessel must have insurance sufficient to compensate seafarers for any monetary loss that they may incur as a result of their abandonment.

Abandoned seafarer

(2) For the purposes of subsection (1), a seafarer is considered to have been abandoned where, in violation of the requirements of this Part or the terms of their contract of employment or any applicable collective agreement, the shipowner

- (a) fails to meet its obligations towards the seafarer under subsections 4030(1) to (5) and (8);
- (b) has left the seafarer without the necessary maintenance and support mentioned in paragraph 5 of Standard A2.5.2 of the Convention; or
- (c) has otherwise unilaterally severed their ties with the seafarer, including failure to pay wages for a period of at least two months.

Scope of insurance

(3) The shipowner of a Canadian vessel must have insurance sufficient to cover the following:

- (a) outstanding wages and other entitlements due to the seafarer by the shipowner under their contract of employment or collective agreement, for a minimum of four months;
- (b) any expenses incurred by the seafarer arising from the seafarer's abandonment, including the costs referred to in subsection 4030(5); and
- (c) the essential needs of the seafarer including, adequate food, clothing, accommodation, drinking water supplies, essential fuel for survival on board the vessel, necessary medical care and any other reasonable costs related to the seafarer's abandonment.

Proof of insurance

(4) The shipowner of a Canadian vessel must carry on board documentary evidence of the insurance issued by the insurance provider, in both official languages. If the insurance is provided by more than one provider, a copy of the documents of each provider must be carried on board the vessel.

Content

(5) The documentary evidence referred to in subsection (4) must include the following information:

- (a) name of the vessel;
- (b) port of registry of the vessel;
- (c) call sign of the vessel;
- (d) IMO number of the vessel;
- (e) name and address of the provider or providers of the insurance;

- (f) contact details of the persons or entity responsible for handling seafarer's requests for relief;
- (g) name of the shipowner;
- (h) period of validity of the insurance; and
- (i) an attestation from the insurance provider that the insurance meets the requirements of subsection (3).

Display

(6) The shipowner of a Canadian vessel must ensure that documentary evidence of the insurance is conspicuously displayed on board the vessel in a location where it is available for seafarers to access it.

Subrogation

(7) The insurance provider or the Minister that has made any payment to any abandoned seafarer, in accordance with this section, are subrogated to the rights of the abandoned seafarer, up to the amount the insurance provider or the Minister has paid.

Interpretation — recourse against third parties

(8) Nothing in this section is to be construed as limiting or restricting any right of recourse that an insurance provider or the Minister may have against third parties.

Food and Water

Food and water

4035 (1) The master of a Canadian vessel must ensure that

- (a) the food provided to the seafarers meets the recommendations of the *Eating Well with Canada's Food Guide*, published by Health Canada, taking into account religious requirements and cultural practices and that there is sufficient quantity of food, taking into account the duration of the voyage; and
- (b) there is made available sufficient potable water to seafarers in the manner set out in sections 73 to 79 of the *Maritime Occupational Health and Safety Regulations*, taking into account the duration of the voyage.

Foreign vessels

(2) The master of a foreign vessel must not cause or permit the vessel to engage on a voyage, unless the vessel is carrying potable water of suitable quantity and food of suitable quality, quantity, nutritive value and variety, taking into account the number of seafarers on board, the duration of the voyage and the religious requirements and cultural practices of the seafarers as they pertain to food.

Requirement to provide food and water

(3) The shipowner of a Canadian vessel on board which seafarers are living must ensure the provision of free food and water for every seafarer on board the vessel.

Obligation of Persons Who Provide Seafarers

Compliance

4036 If the shipowner of a Canadian vessel enters into an agreement with another person to provide seafarers, that other person must, in lieu of the shipowner or the master with respect to those seafarers, comply with the following requirements set out in:

- (a) section 4012, in respect of visas required to join the vessel;
- (b) section 4030; and
- (c) subsections 4032(1) and (2).

DIVISION 4

Separate Hospital Accommodation

Hospital

4037 (1) The shipowner of a Canadian vessel constructed after August 20, 2013 carrying 15 or more seafarers, and engaged on a voyage other a domestic voyage, of more than three days' duration must ensure that there is separate hospital accommodation on board that is easy to access, is suitable to accommodate persons in need of medical care and is conducive to their promptly receiving the necessary care.

Date of construction

- (2) For the purpose of subsection (1), a vessel is constructed on the earlier of the following days:
- (a) the day on which its keel is laid, and
 - (b) the day on which construction identifiable with a specific vessel begins.

Exclusive use

(3) The vessel's master must ensure that the accommodation is used exclusively for medical purposes.

Sanitary facilities

(4) The vessel's shipowner must ensure, as far as practicable, that sanitary facilities containing a minimum of one toilet, one wash basin and one tub or shower are provided for the exclusive use

of the occupants of the hospital accommodation, either as part of the accommodation or in close proximity to it.

DIVISION 5

On-board Complaint Procedures

Shipowner and master — requirements

4038 (1) Subject to subsection (12), the shipowner and master of a Canadian vessel that is engaged on a voyage other than a domestic voyage must ensure that the seafarers can avail themselves of an on-board complaint procedure that meets the requirements of this section.

Complaints

- (2) Seafarers may make a complaint with respect to
- (a) an alleged breach of any of the following provisions:
 - (i) any provision of this part,
 - (ii) section 423 of the *Criminal Code* concerning intimidation, or
 - (iii) section 425 of the *Criminal Code* or any provision set out in Part I of the *Canada Labour Code* concerning the right to freedom of association and collective bargaining; or
 - (b) an alleged discriminatory practice described in
 - (i) sections 7 to 12 and paragraph 14(1)(c) of the *Canadian Human Rights Act*, or
 - (ii) section 14.1 of that Act in respect of a complaint related to an alleged discriminatory practice described in a provision referred to in subparagraph (i).

Lodging complaints

- (3) Subject to subsection (4), the sefarer must file the complaint with the following persons, in the following order of precedence:
- (a) the head of the sefarer's department or the sefarer's superior officer;
 - (b) the vessel's master; or
 - (c) the vessel's shipowner.

Resolution of complaint

(4) If a person referred to in paragraph (3)(a) cannot resolve a complaint to the satisfaction of the complainant, the person must refer it to the vessel's master. However, if the master cannot resolve a complaint to the satisfaction of the complainant, the master must refer it to the vessel's shipowner.

Representation

(5) A complainant may be represented or accompanied by any other seafarer on board if that seafarer consents.

Participation in the hearing

(6) The complainant and their representative or any person accompanying them may attend any meeting or hearing with respect to the complaint.

Resolution — time

(7) The person to whom a complaint is made or referred must attempt to resolve it as soon as feasible.

Record and copies

(8) The person who resolves a complaint must record in writing the details of the complaint and its resolution and give a copy of the record to the complainant and any other parties involved.

Procedures

(9) The shipowner and the master of a Canadian vessel must provide to every seafarer a copy of the on-board complaint procedures. The document must include the following:

- (a) the name of a person or persons on board the vessel who can, on a confidential basis, provide seafarers with impartial advice on their complaint and assist them in following the complaint procedures; and
- (b) the contact information for the Transport Canada Marine Safety and Security regional office closest to the vessel's port of registry.

Interpretation

(10) Nothing in this section must be construed as limiting or restricting any right a seafarer may have under any other law or under any custom, contract or arrangement.

No adverse action

(11) A person must not take adverse action against a seafarer in response to the seafarer making or proposing to make a complaint.

Non-application

(12) This section does not apply in respect of complaints to which section 127.1 of the *Canada Labour Code* applies.

DIVISION 6

Maritime Labour Certificates and Declarations of Compliance

General requirements

Certificate

4039 (1) A Canadian vessel of 500 gross tonnage or more that is engaged on a voyage other than a domestic voyage or making a port call in Saint-Pierre-et-Miquelon, must hold a Maritime Labour Certificate or an Interim Maritime Labour Certificate.

Declaration

(2) The shipowner of a Canadian vessel of 500 gross tonnage or more that is engaged on a voyage other than a domestic voyage, must hold a Declaration of Maritime Labour Compliance.

Non-application

(3) Subsection (2) does not apply in respect of a vessel during the period of validity of an Interim Maritime Labour Certificate.

Foreign vessel more than 500GT registered in country where Convention in force

(4) A foreign vessel that is at least 500 gross tonnage or more and is registered in a country where the Convention is in force must

- (a) have a Maritime Labour Certificate and a Declaration of Maritime Labour Compliance, or an Interim Maritime Labour Certificate, issued by the competent authority;
- (b) demonstrate that the vessel and its equipment correspond to the particulars specified in the documents held in paragraph (a); and
- (c) comply with the requirements specified in the documents held in paragraph (a).

Foreign vessel less than 500GT registered in country where Convention in force

(5) A foreign vessel that is less than 500 gross tonnage and registered in a country where the Convention is in force must

- (a) if the competent authority of the country has issued a certificate or other document, comply with the requirements, if any, specified in the certificate or other document; or
- (b) if the competent authority of the country has not issued a certificate or other document, demonstrate to the Minister's satisfaction that the vessel meets the requirements of the Convention in respect of every seafarer on board for the following matters:
 - (i) workplace safety,
 - (ii) conditions of employment,
 - (iii) working and living conditions, and

- (iv) health protection, medical care and welfare facilities.

Foreign vessel registered in country where Convention not in force

(6) The shipowner of a foreign vessel that is registered in a country where the Convention is not in force must demonstrate to the Minister's satisfaction that the vessel meets the requirements of the Convention in respect of every seafarer on board for the following matters:

- (a) workplace safety,
- (b) conditions of employment,
- (c) working and living conditions, and
- (d) health protection, medical care and welfare facilities.

Maritime Labour Certificates

Maritime Labour Certificate — requirements

4040 (1) On request by a shipowner of a Canadian vessel, the Minister must issue a Maritime Labour Certificate in respect of the vessel and a Declaration of Maritime Labour Compliance to the shipowner, if an inspection of the vessel has been completed to ensure compliance with the following requirements:

- (a) seafarers that are employed to work on board the vessel have the required certification under Part 3;
- (b) the vessel's complement meets the requirements under Part 3;
- (c) the requirements set out in this Part;
- (d) the health and safety requirements as set out in Part II of the *Canada Labour Code*;
- (e) the accommodation and recreational facility requirements set out in the *Crew Accommodation Regulations* or the *Towboat Crew Accommodation Regulations*;
- (f) the requirements related to accident prevention set out in the *Tackle Regulations*;
- (g) the requirements set out in section 115 of the *Maritime Occupational Health and Safety Regulations*; and
- (h) the requirements set out in section 127.1 of the *Canada Labour Code*.

Intermediate inspections

(2) The shipowner of a vessel must ensure that the vessel is subject to an intermediate inspection carried out by the Minister for the purpose of ensuring ongoing compliance by the shipowner of the requirements listed in subsection (1). The inspection must be completed between the second and third anniversary dates as defined in paragraph (2) of Standard A5.1.3 of the Convention.

Renewal inspections

(3) The shipowner of a vessel must ensure that a renewal inspection for the issuance of a new maritime labour certificate is completed in the six-month period prior to the expiry of the certificate.

Expiration

(4) A certificate issued under subsection (1) ceases to be valid in any of the following cases:

- (a) if the intermediate and renewal inspections are not completed within the periods specified in subsections (3) and (4);
- (b) if the certificate is not endorsed in accordance with subsection 4043(1);
- (c) when a ship changes flag;
- (d) when a shipowner ceases to assume the responsibility for the operation of a ship; or
- (e) when substantial changes have been made to the structure or equipment of the vessel related to accommodations, recreational facilities or the provision of food and water.

Interim Maritime Labour Certificate — requirements

4041 (1) On application by the shipowner, the Minister may issue an Interim Maritime Labour Certificate, in respect of the following Canadian vessels, for a period not exceeding six months:

- (a) a new vessel on delivery;
- (b) vessel registered or listed under Part 2 of the Act; or
- (c) a vessel which is the subject of a transfer of ownership and the shipowner changes as a result of the transfer.

Conditions

(2) The following requirements must be met for the issuance of an Interim Maritime Labour Certificate:

- (a) the shipowner of the vessel has demonstrated to the Minister that the vessel has adequate procedures to comply with the requirements listed in subsection 4040(1);
- (b) the master of the vessel has demonstrated to the Minister that it is familiar with the requirements listed in subsection 4040(1) and the master's responsibilities for implementation of those requirements;
- (c) the shipowner has submitted relevant information to the Minister to produce a Declaration of Maritime Labour Compliance.

Non renewable

(3) The Interim Maritime Labour Certificate cannot be renewed.

Validity of an Interim Maritime Labour Certificate

(4) A certificate issued under subsection (1) ceases to be valid in any of the following cases:

- (a) when a ship changes flag;
- (b) when a shipowner ceases to assume the responsibility for the operation of a ship; or
- (c) when substantial changes have been made to the structure or equipment of the vessel.

Availability

Retention

4042 (1) The master of a Canadian vessel must keep the Maritime Labour Certificate on board — along with a copy of the Declaration of Maritime Labour Compliance issued in respect of the vessel attached to it — or an Interim Maritime Labour Certificate, as the case may be.

Availability

(2) The master of a vessel must ensure that a copy of the documents referred to in subsection (1) are posted in a conspicuous place on board the vessel.

Endorsement of Maritime Labour Certificates

Endorsement

4043 The shipowner of a Canadian vessel that holds a Maritime Labour Certificate must ensure that the certificate is endorsed by the Minister following satisfactory completion of an intermediate inspection referred to in subsection 336(3).

Record of Inspections

Record

4044 (1) The master of a Canadian vessel that holds a Maritime Labour Certificate must ensure that a record of the results of inspections carried out to ensure ongoing compliance with any of the applicable requirements listed in subsection 4040(1) are kept on board.

Copy of records

(2) The master must provide a copy of the record to seafarers on request.

Language

(3) The master must ensure that the record is available in both official languages.

DIVISION 7

Log Books

Official log book

4045 (1) The master of a Canadian vessel of 100 gross tonnage or more that is engaged on a voyage other than a domestic voyage must keep an official log book in accordance with TP 15445, entitled *Official Log Book Requirements*, published by the Department of Transport, as amended from time to time.

Entries

(2) The master must ensure that the following requirements are met for each entry in the official log book:

- (a) it is made as soon as feasible;
- (b) it is dated to show the date of the event and of the entry, if the entry is in respect of an event; and
- (c) it is made not more than 24 hours after the arrival of the vessel at its final place of discharge if the entry is in respect of an event that happens before that arrival.

Signature

(3) The master must sign every entry in the official log book and must ensure that every entry is also signed by the chief mate or another crew member and, if it is an entry in respect of an injury or a death, by the medical doctor on board, if there is one.

Signature — birth

(4) When an entry in the official log book for a birth is made, the entry must be signed as soon as practicable by:

- (a) the birth parents of the child; and
- (b) any other person present at the birth of the child.

Information to the Minister

(5) The master of the vessel must send the following information to the Minister at the end of the voyage or when the master leaves the vessel, but in any event no later than when the registration or listing of the vessel changes or the vessel is shipwrecked or abandoned:

- (a) the vessel's name, official number, port of registration and registered gross tonnage and net tonnage;
- (b) the master's name and certificate number; and

- (e) the place at which and the date on which the voyage starts, the classification of the voyage and the place at which and the date on which the voyage ends.

Information to the authorized representative

- (6) The master must provide the completed official log book to the vessel's authorized representative.

Retention

- (7) The authorized representative must ensure that each of the official log books is kept until the earlier of
 - (a) five years after the day on which the official log book is completed, and
 - (b) the day on which a change is made in the registration or listing of the vessel.

Information to the Minister — log book

- (8) The authorized representative must provide the official log book to the Minister on request.

PART 5

**Consequential Amendments, Transitional Provisions, Repeals
and Coming into Force**

5000 [to be completed]