REPORT OF THE NAVIGATION SAFETY REGULATIONS – LARGE VESSEL WORKING GROUP

The second meeting of the Navigation Safety Regulations, Large Vessel Working Group was held on Thursday, April 21, 2016, in Ottawa, Ontario. The session was co-chaired by Transport Canada (TC), Marine Safety and Security (MSS) officials, Robert Turner and Russ Renaud.

1. INTRODUCTION AND APPROVAL OF AGENDA

2. SCOPE AND TIMELINE


In terms of the project timeline, co-chairs mentioned that they would like the new regulatory published in the Canada Gazette Part 1 by the end of 2017 and subsequently in the Canada Gazette Part 2 in spring 2018. Apart from the consolidation of regulations, the new regulations would have to take into account the voyage classifications of the CSA 2001, as defined in the Vessel Certificates Regulations. As a result of recent SOLAS amendments to Chapter IV (communications), Chapter V (Safety Navigation) and future Chapter XIV (Polar Code) additional requirements have to be considered (i.e. ECDIS, BNWAS, etc.) as well as additional safety requirements for domestic vessels (i.e. expand the carriage of the AIS).

One method of implementing SOLAS in Canadian regulations is by utilizing the “Incorporation by Reference” (IBR). However, some stakeholders expressed concern with the idea to incorporate SOLAS by reference as it would also be applied to domestic vessels.

It was explained by the co-chairs that when incorporating SOLAS by reference, exemptions or Canadian modifications can be applied to domestic vessels.
3. STRUCTURE OF NEW NAVIGATION SAFETY REGULATIONS

The chairs proposed two potential structures for the new Navigation Safety Regulations. The first proposed structure is based on the current regulations, such as having one division with navigation; one with communication and one with exceptions and restrictions. The second proposed structure is based on alternative groupings, such as having one part of the equipment carriage and another for operational requirements.

Stakeholders suggested keeping the status quo with the divisions reflecting the current regulations. The chairs noted this preference.

4. MANDATORY ECDIS CARRIAGE REQUIREMENTS FOR DOMESTIC VESSELS

The chairs explained the proposal to expand the SOLAS Electronic Chart Display and Information Systems (ECDIS) requirement to domestic vessels. The Formal Safety Assessments supporting the IMO decision attributed significant safety advantages to ECDIS carriage that would also benefit domestic vessels. Having an ECDIS on board would also facilitate the implementation of E-navigation. It was proposed by the chairs that new vessels would be required to be fitted with an ECDIS without a phased-in approach. Whereas, existing passenger vessels of 500 gross tonnage (gt) or more and existing tankers of 300 gt or more, could be phased in within two-years instead of four as proposed for existing cargo of 10,000 gt or more.

Stakeholders were divided with respect to the benefits of having this equipment on existing vessels (i.e. on Lakers that will be taken out of service in a few years). With the exception of the idea of being “paper less,” stakeholders did not seem to see the value of having an ECDIS on board instead of an Electronic Chart System. However, the majority of stakeholders agreed that the proposal could apply to new construction.

In addition, some stakeholders viewed the proposed phased-in approach as being too aggressive and expressed concern regarding the implementation of ECDIS not being harmonized with training requirements, as per the Marine Personnel Regulations (MPR).

The chairs responded that they will consult with the TC Marine Personnel group to ensure a coordinated effort to harmonized training requirements. The chairs also reminded the members that the SOLAS V amendments already contain an exemption for vessels expected to be taken out of service permanently within two-years after the implementation date specified.

5. BRIDGE NAVIGATIONAL WATCH ALARM SYSTEM (BNWAS) CARRIAGE
REQUIREMENTS FOR DOMESTIC VESSELS

The chairs explained the purpose of the BNWAS, including the three approved methods for the reset function and the SOLAS BNWAS carriage requirements. Compared with other SOLAS requirements, the BNWAS requirements apply to many domestic vessels. The chairs explained that only the following vessels could be exempted by the Administration:

- vessels below 150 gt engaged on any voyage;
- vessels below 500 gt not engaged on international voyages;
- fishing vessels and;
- vessels operating landward of a country’s territorial sea baseline.

For the most part, stakeholders were not in favour of having the BNWAS carriage requirements apply to domestic vessels as they view BNWAS as being of limited use when domestic vessels are operated the majority of the time in pilotage and confined waters. In particular, where the officer of the watch is not alone and where the timing of such an alarm would be too late. It was also suggested by members that in order to prevent fatigue, the company should change their management of resting hours, instead of having a BNWAS; and that resetting the alarm by pressing a button routinely would be distracting to the navigation officer.

The chairs responded by suggesting that the reset system could be a less distracting mechanism, such as a motion sensor or other similar system less likely to distract watchkeepers. The chairs mentioned that further discussion is needed in order to determine which vessels would be exempt from the requirement.

5.1 BNWAS Requirements for Domestic Ferries—Status Update (BC Ferries)

BC Ferries presented its fleet situation regarding the installation of BNWAS on board, detailing certain methods used.

6. POLAR CODE REQUIREMENTS FOR DOMESTIC VESSELS

The chairs presented the additional requirements to SOLAS chapter IV (Radiocommunications) and chapter V (Safety of Navigation) for vessels operating in the Arctic waters. Polar Code chapter 9 (Safety of Navigation) was discussed in two sections; new requirements not already covered by Canadians regulations, and requirements that were similar to current Canadian regulations. The chair also presented the additional requirements of the chapter 10 (Communications). They asked if the Polar Code navigation and radiocommunication requirements should be made to
apply to domestic vessels and if the Canadians requirements should be kept.

Working Group members articulated that they were not particularly concerned, as they don't operate in the Northern Region. One participant with experience operating in the north provided additional technical input with respect to some of the requirements (i.e. The use of narrow beam search lights for navigation instead of using regular search lights.)

Co-chair Russ Renaud will make another presentation on the Polar Code chapters 9 and 10 to targeted stakeholders at the regional Prairies and Northern CMAC on May 11th 2016, in Ottawa.

7. EXPAND AUTOMATIC IDENTIFICATION SYSTEM (AIS) CARRIAGE REQUIREMENTS

The chairs proposed to expand AIS carriage requirements to smaller vessels, including fishing vessels in order to reflect the Seaway carriage requirements and to take into account U.S. requirements.

No comments were made by members with respect to the proposed AIS carriage requirements.

TCMSS presented this proposal to another Working Group meeting related to small vessels on Wednesday, April 20th, 2016 (Refer to the report of the NSR Small Vessel WG).

8. CHANGES TO ST. CLAIR AND DETROIT RIVER REGULATIONS

The chair showed a chart with the proposed changes to the St. Clair and Detroit River Navigation Safety Regulations, SOR/84–335. The proposal will permit the overtaking of vessels in the Fleming Channel and the removal of the speed restriction in the area between Detroit River light and Bar Point Lt D33. Concerned stakeholders are looking forward to these amendments which have been promised for a long time.