

# Transport Canada Update

Canada Shipping Act (2001  
and Regulations

*Standard for Recreational  
Boating Schools*



# Disclaimer

This presentation is intended to educate you on my understanding of the current situation with respect to keelboat and coachboat training in Ontario and Canada.

When attempting to reach compliance with standards and regulations you must look at the standard and regulations and base the actions you take on those documents, not this presentation.



# Impact of Regulations

## Agenda

- Standard for Recreational Boating Schools TP15136 (for Cruising / Keelboat Schools)
- Canada Shipping Act 2001 (for all Sailing Schools)



# Impact of Regulations

## Transport Canada Interpretation:

- School operated vessels are considered **non pleasure** craft
- School operators need to either:
  - Comply with TP15136 Standard through the Recreational Boating School Report and Small Vessel Compliance Program
  - Comply with non-pleasure craft requirements under CSA 2001 and related regulations

Does not apply if instructor is hired by the master

## Examples

- Privately owned vessels
- Vessels chartered by students
- No payment for passage



# Impact of Regulations

## Definitions are Important

*What is a non-pleasure craft?*

*“non-pleasure craft” means a vessel that is not used for pleasure and is not defined as a fishing vessel.*

All craft that are not used for pleasure are considered to be non-pleasure craft

- Additional safety equipment
- Construction requirements
- Operator training, crew requirements
- Operational considerations
- Training tied to voyage area restrictions

# Impact of Regulations

## Definitions are Important

Passengers are defined as:

*a person carried on a vessel by the owner or operator, other than:*

- *a member of the crew or a person employed or engaged in any capacity on board the vessel on the business of that vessel,*
- *a guest on board the vessel, if the vessel is used exclusively for pleasure and the guest is carried on it without remuneration or any object of profit*
- *a person carried on a vessel in pursuance of the obligation on the master to carry shipwrecked, distressed or other persons or by reason of any circumstances that neither the master nor the owner could have prevented*

# Impact of Regulations

## **Coach Boats and Dinghy Schools**

Coach Boats are not pleasure craft

- Paid coaches / instructors
- Paying students

Impact on schools and coach training

- Vessel operator training requirements
- Voyage area restrictions
- Limitations on passenger (student) counts
- Additional safety equipment requirements
- Construction Requirements



# Impact of Regulations

## Competition Management

Do clubs use paid staff?

- to set marks
- on committee boats

Do Judges and Umpires pay for on water training or get compensation for their work?

Impact on Competition Management

- Operator training requirements
- Voyage area restrictions
- Limitations on passenger (student) counts
- Additional safety equipment requirements
- Construction Requirements





# Impact of Regulations

## **Keelboat / Cruising and PowerBoat Schools**

Club or School owned vessels

- Paid Instructor on board with paying students
- Passenger Carrying vessel

Impact on Keelboat and Powerboat Schools

- Operator training requirements
- Voyage area restrictions
- Limitations on passenger (student) counts
- Additional safety equipment requirements
- Construction Requirements



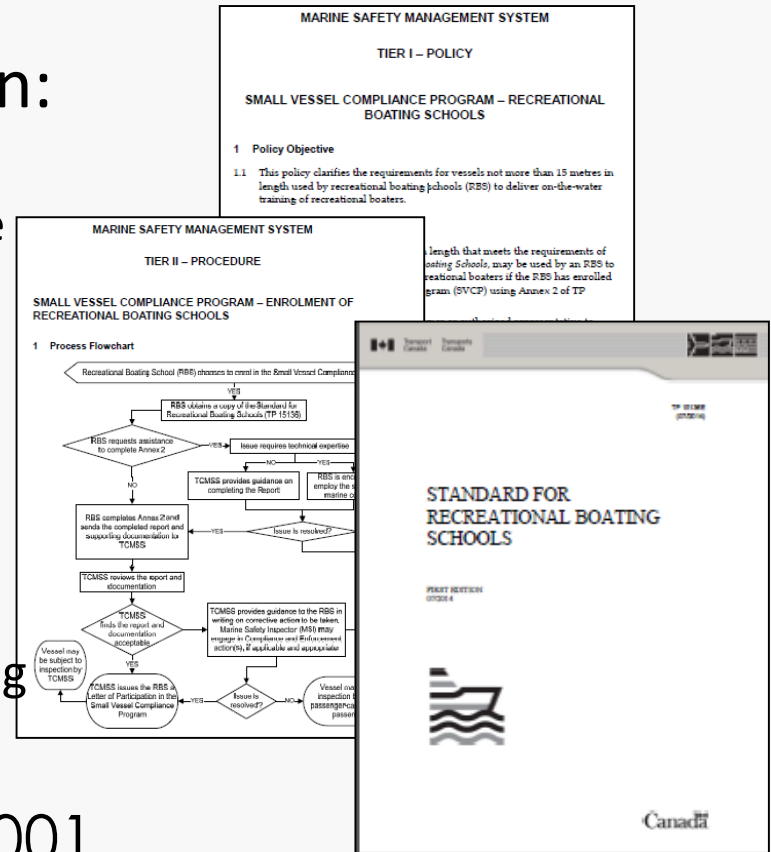
# Impact of Regulations

- CSA2001 Issues for Keelboat / Cruising Training

## 3 Components define the solution:

- TP13585 Policy – Small Vessel Compliance Program – Recreational Boating Schools
- TP13583 Procedure – Small Vessel Compliance Program – Enrolment of Recreational Boating School
- TP15136 Standard for Recreational Boating Schools

- **OR** Comply with CSA2001



# Impact of Regulations

## **Coach Boat, Dinghy School, Competition Management**

- With PCOC coach boat may carry up to 6 passengers in sheltered waters in vessels up to 8 metres
  - areas listed in the vessel certificate regulations
  - In non-tidal waters where they can never be more than one mile from shore
- With PCOC when not carrying passengers, vessels up to 8 metres may operate up to 2 miles from shore
- With SVOP (26 hour course) coach boat may carry up to 12 passengers, vessel not more than 5 tons, near coastal class 2 voyage
  - Up to 25 miles from shore, may be further restricted
  - May be requirements for additional crew



# Impact of Regulations

## Coach Boat, Dinghy School, Competition Management

Additional safety equipment (vessels up to 6 metres)

- three pyrotechnic distress signals (not smoke)
- a first aid kit
- a 1A:5B:C portable fire extinguisher
- PFDs (must be worn)
- If enclosed engine space
  - fire port & CO<sub>2</sub> fire extinguisher
  - Engine compartment heat sensor with remote alarm
- Operational procedures
  - Pre-departure briefing
  - Reporting passenger counts
  - Vessel construction
    - No differences up to 6 metres
  - Additional training – standard first aid



# Impact of Regulations

## Coach Boat, Dinghy School, Competition Management

### Solution

- Sail Canada is working with Transport Canada to reach a solution
- Probably to include:
  - Standard first aid
  - Non pleasure craft safety equipment
  - Some on-water practical component
  - PCOC for up to 6 passengers
  - Consistent voyage areas for tidal/nontidal waters (3 miles?)
  - Requirement to be training to a standard
  - Possible operational requirements (briefing, student count reporting)



# Standard for Recreational Boating Schools

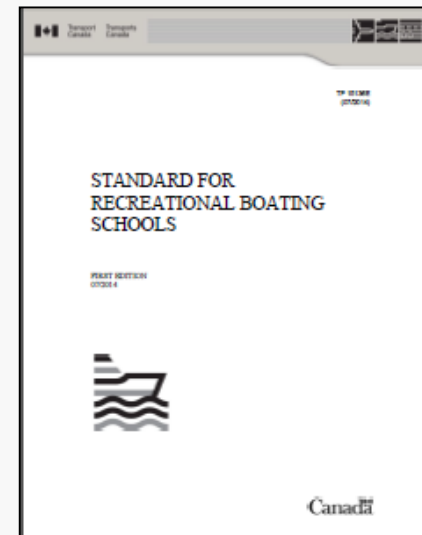
## TP15136 Standard

- Defines how a Recreational Boating School may use recreational vessels up to 15 meters for training by enrolling in the Small Vessel Compliance Program (SVCP)
- Specifies requirements that must be met to provide a safe platform and environment for the delivery of training and compliance with CSA 2001

### Requirements:

Annex I – Equipment and Safety Procedures

Annex II – Small Vessel Compliance Program for Recreational Boating School Report



# Standard for Recreational Boating Schools

- Areas Effected

Vessel Size Restrictions	Voyage Area Restrictions
Vessel Carriage Requirements	Reporting Requirements
Procedures and Documentation	Student Briefing Requirements
Student & Instructor Training Standards	



# Standard for Recreational Boating Schools

## Vessel Size and Individuals On-Board

- Vessel Size Restrictions
  - Vessels not more than 15 meters
- Personnel Restrictions
  - Instructor, Crew, School Reps, TC Personnel and Students
  - Not more than 12 students
  - All students must be registered
  - Voyage area and training level must be appropriate for the registered student levels





# Standard for Recreational Boating Schools

## **Voyage Areas**

Delimited by the level of training to be conducted

### **Introductory and Basic**

Sheltered waters or Not more than 10 miles from shore (Canada or US shoreline) and within 25 miles of a place of refuge

### **Intermediate**

Near Coastal Voyage, Class 2

- 25 miles from shore (Canada or US ex Hawaii, St Pierre, Miquelon) and not more than 100 miles from a place of refuge

### **Advanced and Offshore**

Limited Contiguous Waters - Near Coastal Voyage, Class 1

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



# Standard for Recreational Boating Schools

## Vessel Requirements

- Vessel must be licensed as pleasure craft or registered
- Specific Requirements defined in Annex 1
  - Additional carriage requirements depending on vessel size, area of operation and course being taught.
- If requirements are met, then vessels used for on water training of recreational boaters are not required to meet some of the following:
  - Commercial vessel construction requirements,
  - Carriage requirements and
  - Marine Personnel Regulations.
  - Lifesaving, fire detection, extinguishing & drill regulations are also amended



# Standard for Recreational Boating Schools

- **Operational Requirements**
- SVR Section 402 : Reporting passenger count
  - Passenger count (student count) left ashore to support search and rescue if required (
- SVR Section 403
  - Cold water immersion and hypothermia
    - Understand cold water shock and risk of after-drop
    - Know treatment protocols and have spare clothing, blankets etc. available



# Standard for Recreational Boating Schools

## Operational Requirements

- Must be operated within manufacturer stated design capacity
  - Maximum weight, Number of persons, Engine power (outboards) and Operating conditions
- Vessels not more than 6 metres to operate as per their Canadian Compliance Notice
- If ISO compliant, voyage areas must be as per ISO assigned design category (A,B,C,D)
- If no manufacturer stated design capacity must assess to determine suitable limits

# Standard for Recreational Boating Schools

## Operational Requirements

- Instructor must conduct a safety briefing that includes:
    - General vessel safety rules, familiarization of vessel lay out
    - Through hull fittings location and operations
    - Safety equipment locations and operation
      - PFD's / life jacket use, fire fighting, lifesaving
    - Emergency Procedures
      - Medial emergency, COB recovery, firefighting, lifesaving, adverse weather, equipment failure, grounding, collision, cold shock, fuel spills, SAR
    - Briefing on known hazards of the navigation area
- Warning that conditions may not be suitable for individuals with pre-existing health conditions



# Standard for Recreational Boating Schools

## Operational Requirements

- Everyone must wear lifejacket or PFD at all times when underway except when below deck
- No alcohol consumption when delivering training
  - Consumption acceptable when training sessions over and at anchor/at dock
- Schools must maintain student records for 3 years
  - Record information must be available to TC
  - Information to include
    - Instructor name(s)
    - Student names
    - Course type, date, location
    - Record of safety briefing
    - Record of training certificates / certifications issued



# Standard for Recreational Boating Schools

## **Training Standards**

Applicable to Student and Instructor Courses

School must provide TC course information for all courses offered

For Training Syllabus information use:

- Sail Canada website for descriptions of standards/syllabus
- Learn to Cruise and Power Practices and Procedures  
Document Annex H for Recommended Teach and Challenge Times, and Teaching Environment and Evaluation Criteria
- Definition of “expected level of physical activity” pending approval and translation

Student Standard information

- Any age restrictions and health requirements applicable to training.

The appropriate syllabus should be communicated to students



# Standard for Recreational Boating Schools

## Student Training Standards

### Minimum Information in Syllabus

- **General description** of course intent, nature and learning progression
- **Experience or prerequisites** required for the course
- **Ongoing requirements** to maintain certification
- **Course Character**
  - Duration and format of the course, including a course outline
  - Environmental conditions expected for student skill demonstrations
  - Preferred vessel character and training environment





# Standard for Recreational Boating Schools

## Student Training Standards

### Minimum Information in Syllabus Continued

- Examination / evaluation character
  - Statement of required knowledge and skills
  - Evaluation criteria and method used to evaluate the student
  - Course passing grade
- Training Environment
  - Voyage must be appropriate for intended course level
  - Instructor may train students in weather exceeding stated course / student developmental expectations



# Standard for Recreational Boating Schools

## Instructor Training Standards

- Instructors must have appropriate marine certification or instructor training, PCOC and standard first aid training
- Instructor standard must include definitions of:

Age restrictions	Health Requirements	Duration and format of training
Requirements to maintain certification	Knowledge and practical skills for demonstrations	Expected performance levels
Approved instructor activities	Expected skill level in lesson planning, teaching methods	Expected skill level in student skills

# Standard for Recreational Boating Schools

## Instructor Training Standards

Instructor Course Syllabus should include:

Description of course intent, nature and learning outcomes	Course Character of duration, format and course outline	Environmental conditions for student skill demonstrations
Preferred vessel character and training environment	Examination / evaluation Character – expected performance level, required knowledge and skills	Evaluation criteria and methods used to evaluate students
	Acceptable passing grade	



# Standard for Recreational Boating Schools

- Requirements (listed in Annex I) vary by type of course
- Additional carriage requirements :

## **Vessel (not all shown, refer to annex I)**

- Smoke detectors
- Fire detector in the engine space with remote visual & audible alarm
- Bilge pump and high water bilge alarm in each watertight compartment
- Engine fire port or fixed extinguishing system
- VHF Radio
- Safety notices located near hazards



# Standard for Recreational Boating Schools

## **Equipment Requirements**

### SVR Section 411 : Life Raft

- Must carry raft(s) with capacity to carry all persons on board, when:
  - the vessel is  $> 8.5$  m in length; and
  - outside of sheltered waters or inland and  $< 2$  miles from shore
- Under this standard, the life raft may be standard TC approved commercial raft or ISO 9650 type
  - (lower cost and less frequent inspection cycle (typically inspected every 3 years))
- Inflatable dinghy alternative in inland waters
  - Basic / intermediate level training
  - Not more than 5 miles from shore
  - Dingy rated to carry all on board



# Standard for Recreational Boating Schools

Additional carriage requirements (Requirements listed in Annex)

## **Personal(not all shown , refer to annex I)**

- PFD / life jacket with whistle
- Strobe for PFD / life jacket available for night sailing for all live aboard courses



# Standard for Recreational Boating Schools

## **Reporting to Transport Canada**

(Requirements listed in Annex)

- **Annex II (SVCP Application)**
  - School details per location
  - School courses scheduled with syllabus or lesson plans
  - Vessel identification/use type report
  - Overall compliance questionnaire
  - Recreational Boating School Declaration



# Standard for Recreational Boating Schools

## **Support for Reaching Compliance**

- Transport Canada staff and publications
- Sail Canada guidance and advice
  - Generic School contingency plans
  - Safety Notices and Labelling
  - Directed questions to
    - [cruising@sailing.ca](mailto:cruising@sailing.ca)
    - [Instructor@sailing.ca](mailto:Instructor@sailing.ca)
- Independent Marine Consultants

