

# Marine Safety Training Options Paper

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MARINE TRAINING, EXAMINATION AND CERTIFICATION:

NWT

Prepared for Transport Canada  
by the Department of Industry, Tourism and Investment  
Tourism and Parks  
Government of the NWT

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## Overview

Pursuant to the *Marine Personnel Regulations (Canada Shipping Act, 2001)* established and enforced by Transport Canada, small commercial vessel operators across Canada must meet specific training and certification requirements. This paper examines the issues that tourism operators, outfitters and guides in the Northwest Territories (NWT) face in achieving the level of certification required – in most cases, Small Non-Pleasure Vessel Basic Safety (MED A3) and Small Vessel Operator Proficiency (SVOP) training. The paper addresses the effectiveness of the current approach to certifying the NWT tourism industry, and implications for the industry and the Government of the Northwest Territories (GNWT). This paper also presents options for future courses of action.

The GNWT Department of Industry, Tourism and Investment (Tourism and Parks Division) will present its position and recommendations, contained in this paper, to Transport Canada's Regional (Prairie and Northern Region) Canadian Marine Advisory Council (CMAC) at its upcoming meeting in Yellowknife on May 10<sup>th</sup> and 11<sup>th</sup>, 2011.

This paper is comprised of five main sections:

**Section One: Introduction** sets out the purpose of the paper: in summary, to demonstrate to Transport Canada that the current marine safety training and certification requirements are threatening the NWT tourism industry; and, to present options for Transport Canada's consideration that seek a customized, safe solution for the NWT.

**Section Two: Background** describes the policy context in which the marine safety training and certification requirements were developed, provides overviews of MED A3 and SVOP training, details the applicability of the Pleasure Craft Operator Card (PCOC), explains the economic importance of the tourism industry and the outfitting sector to the NWT, and describes the operating environment and conditions that set the industry apart from tourism industries in other parts of Canada and small commercial vessel operators generally.

**Section Three: Issues** examines the challenges that the current marine safety training and certification requirements present for the NWT tourism industry and the GNWT, including:

- **High Cost of Certification:** At a cost to taxpayers, the GNWT has spent \$120,000 to fund five MED A3/SVOP courses for a certification rate that borders 60% and costs \$2,250 per person (not including guides' wages). Given the return, the seasonal nature of the industry, and the current state of tourism, this represents an unsustainable cost for government and industry alike.
- **Relevancy of Course Material for the NWT:** NWT tourism operators, outfitters and guides who have taken MED A3/SVOP training feel that the course material

is designed for boat operators in southern Canada who drive larger vessels under “normal” operating conditions (e.g., darkness) in waters that see more boat traffic. Considering that safety is a priority for all parties concerned, it is disconcerting that the course material is not relevant to the NWT.

- **Education and Language Barriers:** Approximately 40% of tourism operators/outfitters in the NWT employ guides whose first language is an Aboriginal language and a quarter employ guides who cannot read and write in English. The language contained in the course manuals (English) is not simple, and a classroom setting may not be familiar.
- **Time and Travel Barriers:** Considerable time, planning and money are required to deliver the training to the tourism industry in the NWT due to the distances between communities, where air travel is often the only option. It can be costly and difficult for operators to find guides who can spare a week from their full-time jobs for training.
- **Additional Burden on NWT Tourism Industry:** In their current form, Transport Canada’s marine safety training and certification requirements represent additional financial, regulatory and administrative burdens for already-struggling tourism operators in the NWT. Some operators and outfitters feel that the requirements have put their businesses in jeopardy.

**Section Four: Consultation** – this section elaborates on the positions of tourism stakeholders, outfitters associations and other governments from the consultation that was conducted in February and March 2011:

- **Outfitters Associations:** The Canadian Federation of Outfitter Associations feels that the PCOC is a more appropriate qualification for the outfitting sector than the SVOP certificate, and that standard first aid training should be permitted in place of MED A3 training.
- **NWT Tourism:** NWT Tourism firmly believes that operators in the NWT should be responsible for training their guides.
- **Tourism Operators:** Several NWT tourism operators view the marine safety training and certification requirements as burdensome and of little value or relevance to the tourism business they operate. Operators want a shorter, simpler, culturally-appropriate course that directly applies to the NWT outfitting sector, and several favour operator training of guides.
- **Transport Canada:** It is Transport Canada’s preference to resolve issues with the marine safety training and certification requirements within the boundaries of the current regulations.

- **Provincial/Territorial Partners:** While other outfitting sectors across Canada may take issue with the marine safety training and certification requirements, the implications of the requirements affect the Government of the NWT and the NWT tourism industry uniquely.

**Section Five: Options** outlines three broad options for Transport Canada's consideration:

1. **Status Quo:** The course syllabi for MED A3 and SVOP training remain unchanged; tourism operators and guides in the NWT are subject to the same marine safety training and certification requirements as operators and guides in other parts of Canada.
2. **Customized, Operator-delivered Training (Recommended Option):** Outfitters/tourism operators in the NWT are responsible for training and certifying their guides. Certification restricts operation to the NWT.
3. **Special Rule for the NWT:**
  - A) PCOC Expansion:** The validity of the PCOC is extended for commercial vessels eight metres or less in overall length that carry six or fewer passengers to voyages that are Near Coastal, Class 2 in the NWT.
  - B) SVOP Exemption:** Operators of commercial vessels eight metres or less in overall length that carry six or fewer passengers on voyages that are Near Coastal, Class 2 in the NWT are exempt from the Small Vessel Operator Proficiency requirement.
  - C) Expanded Sheltered Waters:** An expanded schedule of sheltered waters in the NWT extends the validity of the PCOC for tourism operators, outfitters and guides operating on waters that pass Transport Canada's risk assessment process.

## OPTIONS PAPER

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### MARINE TRAINING, EXAMINATION AND CERTIFICATION: NWT

#### Section One: Introduction

##### Purpose

The purpose of this paper is to:

- demonstrate to Transport Canada that tourism operators, outfitters and guides in the NWT need customized MED A3 and SVOP training courses that better suit their operating conditions, location, and way of life;
- demonstrate to Transport Canada that the current structures of the MED A3 and SVOP training courses are not effectively meeting the unique learning needs of many tourism operators, outfitters and guides in the NWT and, as a result, they may not be absorbing the most important course material; and,
- recommend possible options for Transport Canada's consideration that would ensure that tourism operators, outfitters and guides in the NWT receive adequate, safe, culturally-appropriate and relevant MED A3 and SVOP training that is approved by Transport Canada.

#### Section Two: Background

##### The Policy Context

In 1996, Transport Canada initiated a "*Canada Shipping Act* Reform Project," under their direction, to modernize and simplify the *Canada Shipping Act*, one of Canada's oldest pieces of legislation. In 2001, the *Canada Shipping Act, 2001* received Royal Assent and a regulatory reform initiative was launched to develop the supporting regulations needed to bring the Act into force. The *Marine Personnel Regulations* were among the new regulations developed to support the *Canada Shipping Act, 2001* and they entered into force with the Act on July 1, 2007.

The *Marine Personnel Regulations* revised the existing training and certification requirements that apply to crews of vessels. Of issue to the GNWT and the tourism industry in the territory are the regulatory requirements for operators of certain small commercial vessels (e.g., outfitters, guides) to hold a MED A3 and SVOP training certificate.

## Marine Training

The *Marine Personnel Regulations* are divided into three parts and exist to ensure that vessels hire enough crewmembers for safe operation that crews are trained and certified to perform their duties, and they establish the labour conditions on vessels. Part 2 of the *Marine Personnel Regulations* prescribes the training that is the focus of this paper.

MED A3 and SVOP training have been offered in the NWT since November 2007. There is only one instructor in the NWT approved by Transport Canada to teach MED A3 and SVOP training. The courses are taught jointly for cost-efficiency: one day of MED A3 training immediately follows with four days of SVOP training to total five consecutive days of training. Considerable time, planning and money are required to bring the instructor, located on the Alberta border in Fort Smith, to the tourism operators and guides (and vice versa) in a jurisdiction where air travel is often the only option. Please see Section Three for details.

The main course instructor of MED A3 and SVOP training requires a level of certification that can take years to achieve (e.g., Master, Limited certificate). Receiving this certification can be more complicated for a resident of the NWT relative to his or her southern counterpart, particularly because of the travel (and associated time, cost and planning) required to write exams and take courses outside of the territory.

Training must be provided by a “recognized institution”<sup>1</sup> that is approved by Transport Canada. In the NWT, training is provided by Aurora College. The institution must submit the course syllabi, training manuals and instructor qualifications for Transport Canada’s approval.

The process to deliver MED A3 and SVOP training in the NWT, including instructor certification and Transport Canada approval of course material, began in September 2004. Approval to deliver the audited courses was received from Transport Canada in November 2007. Since that time, 17 MED A3 and SVOP training courses have been delivered. A total of 249 participants have taken the combined course: 80% (199 participants) received MED A3 certificates and 68% (170 participants) received SVOP certificates. Please see Section Three for results for the tourism industry.

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<sup>1</sup> “Recognized institution” means a training institution, designated by the Minister, that administers, in accordance with the established practices and requirements of the domestic and international marine industry, approved training courses and approved training programs for the purpose of giving applicants the training necessary to obtain a training certificate, a certificate of competency or an endorsement issued or required under these Regulations. (*Marine Personnel Regulations* 2007 s. 1 (1))

## *MED A3 Training*

Small Non-Pleasure Vessel Basic Safety (MED A3) training existed prior to the coming into force of the *Marine Personnel Regulations*. It provides basic safety training for crew members of non-pleasure vessels up to 150 gross tons operating within 25 miles of the shore. Section 205 of the *Marine Personnel Regulations* prescribes MED A3 training for crew members on board a wide variety of vessels within this vessel type and voyage class, including certain small commercial passenger-carrying vessels operated by tourism operators, outfitters and guides.

MED A3 is a one-day training course: Transport Canada requires a minimum of eight hours of MED A3 training, which includes one-and-a-half hours for practical exercises and a half-hour for evaluation, assuming some pre-course reading is assigned. Evaluation consists of a Transport Canada approved written exam that contains 25 multiple-choice questions. Please see Appendix A for a MED A3 course outline.

MED A3 training is a prerequisite for Small Vessel Operator Proficiency training.

## *Small Vessel Operator Proficiency Training (SVOP)*

The *Marine Personnel Regulations* require all commercial and fishing vessels, regardless of length, to have a certified master (captain). According to section 212 of the *Marine Personnel Regulations*, an SVOP training certificate is acceptable in place of a master's certificate for operators of certain small commercial vessels, including those typically operated by tourism operators, guides and outfitters. Transport Canada defines commercial vessels as "vessels that are primarily operating for profit, normally with paying passengers."

The SVOP course trains operators of a wide range of commercial vessels (e.g., commercial fishing vessels up to 15 gross tons measuring up to 12 metres in length that operate within two and 25 miles of the shore and 100 miles of a safe port). Please see Appendix B for a table that shows the vessel types and voyage classes where a SVOP certificate is accepted for operators.

The goals of the course are to provide participants with:

- a basic understanding of the hazards associated with the marine environment and their own vessel and the prevention of shipboard incidents;
- the knowledge and skills necessary to safely operate a small non-pleasure vessel in near coastal and sheltered waters under normal operating conditions, including darkness and restricted visibility;
- additional knowledge on aids to navigation and seamanship to supplement individual experience.



The SVOP training course takes 32 hours, or four days, to complete, including 10 hours of discussion and review and two hours for evaluation. Evaluation consists of a Transport Canada approved written exam that contains 40 multiple-choice questions. The mark required to pass the exam is at least 70%. Administering the exam orally may be considered on a case-by-case basis. Please see Appendix C for an SVOP course outline.

### *Pleasure Craft Operator Competency (PCOC)*

Operators of pleasure craft that are fitted with a motor and that are operated for recreational purposes in the waters of the NWT (and Nunavut) are exempt from the requirement under the *Competency of Operators of Pleasure Craft Regulations (Canada Shipping Act, 2001)* to have “proof of competency.” Proof of competency means a Pleasure Craft Operator Card (PCOC), a Boating Safety Course Completion Card, a rental boat safety checklist, proof of the successful completion of a boating safety course, or a certificate or other document pertaining to boating safety knowledge,<sup>2</sup> (e.g., a certificate issued to a person who is not a resident of Canada by the person’s country of residence attesting that the person has acquired the boating safety knowledge required by the country).

Like the SVOP training certificate, a PCOC is acceptable, according to section 212 of the *Marine Personnel Regulations*, in place of a master’s certificate for operators of certain small commercial vessels, including those not more than eight metres in overall length carrying six or fewer passengers that are operated in “sheltered waters.”<sup>3</sup> In this case – where the vessel is used for “commercial” rather than “pleasure” purposes – a PCOC could apply in the NWT (or Nunavut). However, most tourism operators, outfitters and guides in the NWT do not operate in “sheltered waters” as they’re currently defined.

It is noteworthy that while an outfitter or guide operating a boat (commercially) could be required to hold a PCOC, a tourist (without crew) – or anyone, for that matter, who wanted to use the same boat in the NWT for pleasure purposes – could rent and operate it without holding a PCOC due to the above-mentioned exemption for the territories.

Though recommended by Transport Canada, a training course is not a requirement for obtaining a PCOC. To be issued a PCOC, a boating safety test approved by Transport Canada must be passed with a mark of 75%. There are about 60 private sector course providers accredited by Transport Canada to deliver boating safety courses and tests and issue PCOCs. None are in the NWT. However, the exam is available online. Training can be received via an online or hard-copy study guide, or done in-class. In-class training would take three to four hours in total. Topics that a training course would cover include:

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<sup>2</sup> *Competency of Operators of Pleasure Craft Regulations* 1999 s. 1

<sup>3</sup> A lake or river above tidal waters where a vessel can never be further than 1 mile from the closest shore or, in the NWT between June 1 and October 31, the waters of Kugmallit Bay south of a line drawn from Skiff Point on its western shore to a point at 69°30’N latitude on its eastern shore. (*Vessel Certificates Regulations* 2007 Schedule 1)

- Canadian Boating Rules and Regulations
- Properly Equipping Your Craft
- Operating Your Boat Safely
- Ensuring the Safety of Your Passengers
- Understanding Navigational Aids
- Properly Maintaining Your Craft and Equipment
- Responding to Emergencies and Distress Signals

Prices and services vary among private sector course providers (e.g., \$60 for a resident of the NWT to purchase a study guide and take an online exam).

## **The NWT**

Although the NWT is vast, remote, isolated, cold, sparsely populated, wild, relatively undeveloped – it is unlike any other jurisdiction in Canada. At 1.17 million square kilometres, the NWT is as big as Alberta and Saskatchewan combined, but has just 43,757 inhabitants. More than half of the NWT's population is of Aboriginal origin. The NWT is the only political region in Canada that recognizes 11 official languages. Apart from English and French, nine are Aboriginal: Chipewyan, Cree, Gwich'in, Inuinnaqtun, Inuktitut, Inuvialuktun, North Slavey, South Slavey and Tlicho. Currently, there are about 7,200 people living in the NWT who converse in an Aboriginal language.<sup>4</sup>

There are very few roads in the NWT. There is a limited highway network in the southern part of the territory (e.g., south of Yellowknife), a significant portion of which is unpaved. No highways exist in the central and northern parts of the territory except for a small, 270-kilometre unpaved stretch of the Dempster Highway that extends from the Yukon border to Inuvik. Travel by water is an extremely important means of transportation – including when the water is frozen. Just half of the communities in the NWT can be accessed by the all-weather highway network. About one-third of the communities can only be reached by ice-road, and the remainder (five communities) cannot be accessed by surface vehicle.

Every community in the NWT is located by a body of water. The rivers, lakes, streams and ponds of the NWT are an essential part of northern life and traditional Aboriginal cultures.<sup>5</sup> Many communities in the NWT depend on the water for subsistence and is particularly important for Aboriginal communities. Many Aboriginal families continue to pursue a traditional life-style based on hunting and fishing and many residents have a deep and fundamental relationship with our waters. Aboriginal people have a long and intimate relationship with the natural environment. They draw their spiritual and cultural integrity and strength from the land and water.<sup>6</sup> In other words, many have an incredible level of comfort and familiarity with the water that they've been born and raised on in the territory, and know it "like the back of their hand."

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<sup>4</sup> NWT. Department of Education, Culture and Employment. *NWT Aboriginal Languages Plan - A Shared Responsibility*. 2010, 6.

<sup>5</sup> NWT. Government of the NWT and Indian and Northern Affairs Canada. *Northern Voices, Northern Waters: The NWT Water Stewardship Strategy*. 2010, 3.

<sup>6</sup> Ibid, 4.

NWT residents also depend on the water for economic development opportunities. “For example, the NWT has important commercial and domestic fisheries. Fishing lodges and outfitter camps play a valuable role in the economy and rely on water for their activities. The fur harvesting industry depends on the health and abundance of water resources.”<sup>7</sup>

### *The NWT Tourism Industry*

Tourism is an important part of the NWT’s economy and generates more revenue, over \$130 million annually, than all other renewable resource industries combined. In 2009, more than 68,000 travellers visited the NWT, spending \$107.6 million in the territory.

Of these visitors, over 6,400 travelled to the NWT for the main purpose of fishing. Anglers are an important and relatively high-yield travel market for the territory: those who traveled to the NWT to fish in 2009 accounted for 9% of total visitors, but 12% of total visitor spending (\$12.6 million). Approximately 28% of all anglers purchased guided services from a lodge or outfitter, representing nearly 1,800 tourists. Guided anglers spend more in the territory, on average, than unguided anglers.

Aboriginal tourism is another one of the NWT’s unique strengths, and developing the Aboriginal tourism sector is an important focus of the GNWT. Tourism represents about one quarter of the Aboriginal economy in northern Canada.<sup>8</sup>

Tourism, generally, is characterized as a seasonal, fragmented, multi-faceted service industry, with a large number of entry-level jobs. Issues such as these are intensified in the NWT where the small labour pool, very short summer season, unused shoulder seasons, relatively undeveloped industry/product, remote location and associated high cost for travelers all combine to result in a product with a very narrow market segment. The NWT tourism industry has also been impacted in recent years by global events such as the economic crisis and terrorism, and by other significant challenges including increased competition and a strong Canadian dollar. The NWT has experienced a significant decrease in fishing tourists over the last several years.

To realize its full potential, the NWT tourism industry is reliant on a well-trained labour force who can deliver tourism products in a professional and knowledgeable manner. Since May 2009, the GNWT’s Department of Industry, Tourism and Investment has supported five combined MED A3/SVOP training courses at a cost of \$120,000. For more detail, please see Section Three.

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<sup>7</sup> Ibid, 7.

<sup>8</sup> Canada. Industry Canada. *Building a National Tourism Strategy*. (Ottawa), 13.

## *The NWT Outfitting Sector*

The fishing tourism market is the second largest generator of visitor spending for the NWT and the fourth largest generator of tourists. There are just over 100 licensed tourism operators in the NWT,<sup>9</sup> and approximately 75% of them take tourists out in a boat as part of their tourism business, primarily for fishing and sightseeing purposes. The outfitted fishing sector is a significant contributor to the NWT tourism economy.

The outfitted fishing sector consists of both lodge-based outfitters and fishing guide service outfitters. Fishing guide service operators generally provide clients with half-day and full-day fishing charters by boat from communities throughout the territory. Lodge-based outfitters combine full service accommodations with fishing guide services in a variety of all-inclusive package offerings and usually operate from remote, fly-in only locations.<sup>10</sup> Outfitters often employ guides to accompany clients while angling. Some outfitters also offer non-guided, “do it yourself” type experiences; on these types of trips, guests can operate a boat on their own.

Most tourism operators, outfitters and guides in the NWT operate small Lund-type aluminum fishing boats between 16 feet and 18 feet in length. A handful of operators also use pontoon boats. Of those interviewed as part of this project, three have a 24-foot pontoon boat and one has a 40-foot pontoon boat, which stands out as the largest boat used among operators who were interviewed<sup>11</sup>. The remainder all operate vessels under eight metres in length. The operator or guide typically takes two tourists at a time out in the boat to fish, see the scenery, take pictures, hunt, have lunch on the shore, or to transport them to the starting point of a hike. Many operators remain within sight of the shore, but most are operating on lakes where they can be more than one mile from shore. So, while the type of vessel used by the majority of NWT operators meets the operator requirement for a PCOC (e.g., ≤ six passengers and ≤ eight metres), the water is not “sheltered” and an SVOP certificate is required. Most boating in the NWT tourism industry occurs inland, on isolated lakes (e.g., fly-in fishing lodges and hunting camps) where little or no other boating traffic is encountered.

The boating (operating) season in the NWT is relatively short, often lasting three months (mid-June to mid-September) or less (July and August). Unlike in southern Canada, there is 24-hour daylight in the NWT for much of the boating season. Typical hours of daylight in the summer season for selected NWT communities are shown in the table below. In addition to the stated hours of sunlight, all locations experience additional periods of daylight prior to sunrise and sunset; to the extent that around the Yellowknife area, in June and July, it is light enough to fish all night!<sup>12</sup>

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<sup>9</sup> The Government of the NWT *Tourism Act* requires tourism operators who offer guided services to hold a licence to operate in the territory.

<sup>10</sup> NWT. St. John Louis Consulting. *A Performance and Operations Assessment of the NWT Outfitted Sport Fishing Industry*. 2006, 10.

<sup>11</sup> 25 licensed tourism operators in the NWT whose tourism business includes taking tourists out in a boat participated in an interview as part of this project in March 2011.

<sup>12</sup> Government of the NWT. (2010). *The Place*. In *Living in the NWT*. Retrieved March 9, 2011, from <http://www.practicenorth.ca/index.php?page=the-place-en>.

| Typical Hours of Daylight for Selected NWT Communities: June 21, Summer Solstice |          |
|--|----------|
| Fort Smith   | 18 hours |
| Yellowknife  | 20 hours |
| Norman Wells   | 22 hours |
| The Arctic Circle & All Points North   | 24 hours |

About half of the operators interviewed as part of this project employ guides – anywhere from one or two guides per season to 75 guides a season, depending on the operator. Because the season is short, permanent, full-time employment is rarely available, and there is often a high turnover among guides from season to season. Guides vary in profile; some are non-residents of the NWT who are employed in a different industry elsewhere (e.g., RCMP), some are college students, and many guides are of Aboriginal origin, born and raised in the north, and are hired for their exceptional knowledge of the land, water and weather. While conversant in English, their preferred language may be an Aboriginal language and their highest level of education (in a school setting) may be less than high school. Some can't read or write.

Most outfitting operations are small, generating less than \$100K annually.<sup>13</sup> As mentioned previously, much of the outfitting sector has felt the effects of the economic slowdown and the challenges faced by the tourism industry as a whole.

### *Marine Accidents*

In accordance with mandatory reporting requirements under the provisions of the *Canadian Transportation Accident Investigation and Safety Board Act*, the *Canada Shipping Act*, and the *Canada Labour Code* Part II, where a reportable marine accident or incident takes place, the owner, operator, charterer, master, pilot or any crew member of a ship shall report to the Board as much information as possible by the quickest means available.<sup>14</sup> According to the Transportation Safety Board of Canada, only one marine occurrence has been reported in the NWT in the past ten years: in 2006, a pontoon boat (charter/water taxi) lost power and struck a Cessna that was tied up at a dock.

The Canadian Red Cross Society reported that there were nine immersion deaths<sup>15</sup> while fishing in the NWT and Nunavut (combined) between 1991 and 2000; all were related to subsistence fishing. In total, 889 people died in Canada while fishing between 1991 and 2000.<sup>16</sup> In the same period, there were 61 deaths by drowning and four non-drowning fatalities<sup>17</sup> in the NWT and Nunavut (combined) while boating; just two of the drownings occurred during occupational activities, and one was related to an

<sup>13</sup> Ibid, 14.

<sup>14</sup> Transportation Safety Board of Canada. (January 19, 2010). Marine Occurrence Reporting. In Transportation Safety Board of Canada. Retrieved March 31, 2011, from <http://www.tsb.gc.ca/eng/incidents-occurrence/marine.asp>.

<sup>15</sup> Includes drowning and immersion hypothermia deaths; excludes other non-drowning fatalities.

<sup>16</sup> The Canadian Red Cross Society. *Drownings and Other Water-Related Injuries in Canada, 1991-2000 (Module 5: Fishing)*. 2009, Annex 1.

<sup>17</sup> Primary cause of death was injury other than drowning, although drowning may have complicated another injury.

unpowered boat. In comparison, there were 1,952 drownings and non-drowning fatalities in Canada over the same period.<sup>18</sup>

## **Section Three: Issues**

### **High Cost of Certification**

The GNWT's Department of Industry, Tourism and Investment has funded five combined MED A3/SVOP training courses since May 2009, including travel costs around the NWT for operators, guides and the instructor, at a cost of \$120,000. The results are disappointing: of those who registered for the course, 68% received MED A3 certificates and 60% received SVOP certificates.

The cost to the GNWT (taxpayers) to certify 53 operators/guides with SVOP training at approximately \$2,250 per person seems excessive, yet it excludes the additional wages operators must pay their guides for their week(s) away to attend the training. This is simply too high a price for tourism operators in the NWT to absorb on their own, and represents a burdensome cost for government and industry alike given the seasonal nature of the industry and the current state of tourism. Most operators in the NWT run small tourism businesses that operate three months a year (or less) and see turnover in guides each season. These operators are feeling the effects of the economic slowdown, which are acutely challenging for a remote industry. The burden is not limited to small tourism businesses: the cost to train the 75 guides of the largest outfitter in the NWT each season is similarly prohibitive, potentially amounting to \$169,300 per season, not including guides' wages. The cost to operators increases further if the guide does not pass the course.

The small labour pool that can require operators to hire from outside the NWT can be similarly expensive. One operator interviewed as part of this project employs six guides who live in BC and work as loggers – it is cost prohibitive for him to pay them to take a week off work and pay to get them trained in a jurisdiction where the government does not cover the training.

### **Relevancy of Course Material for the NWT**

Safety is a priority for the NWT tourism industry and for the GNWT, particularly where tourists are concerned. Safety should not be compromised in an effort to make MED A3 and SVOP training certificates easier to attain. It should be important however, that training is practical for the jurisdiction in which it is delivered. This is understandably difficult to achieve through a national policy in a jurisdiction such as the NWT that is so vastly different in demographic and geographic make-up, location, climate, hours of daylight, boat traffic, tourism, culture, etc. than any other province or territory in Canada.

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<sup>18</sup> The Canadian Red Cross Society. *Drownings and Other Water-Related Injuries in Canada, 1991-2000 (Module 3: Boating and Powerboats)*. 2009, Annex 2a.

Many NWT tourism operators and guides who have taken the MED A3/SVOP training feel that the course material is designed for boat operators in southern Canada. Lights, buoyancy and navigation are three topics in the SVOP training course that were identified over and over again by operators interviewed as being too detailed or not directly applicable to outfitting in the NWT.

While knowing and understanding the rules concerning lights are obviously crucial to being able to safely operate a boat, it is perhaps the case that the topic is covered too extensively in the NWT given that boating (operating) season occurs primarily in 24-hour daylight. A half-day of the SVOP course is spent on theory and discussion about the rules concerning lights, which are to be “complied with from sunset to sunrise”<sup>19</sup> – but this period (darkness) as it is experienced in southern Canada does not exist in the NWT. Darkness is not a normal operating condition in the NWT, but one of the specific goals of the SVOP course is to provide participants with “the knowledge and skills necessary to safely operate a small non-pleasure vessel in sheltered waters under normal operating conditions including darkness...”<sup>20</sup> It may be more practical to tailor the portion of the course that includes lights, but, overall, teaches collision prevention, to the NWT so that the lesson is not lost.

It may also be practical to modify the SVOP course so that the subject of buoyancy – which operators interviewed felt was covered in too much detail – is appropriate for the small vessels used in the NWT tourism industry. The material focuses on the stability of larger fishing vessels rather than those primarily operated in the NWT tourism industry and parts of the lesson may be extraneous (e.g., towing fishing gear in heavy seas, fitting vessels with large fish processing spaces with high water alarms).

Similarly, parts of the navigation lesson required under the SVOP course, specifically understanding the Canadian buoyage system in its totality, may need to be customized for operators/guides that operate in the NWT. It was an expression, particularly of Aboriginal operators/guides, that centuries-old Aboriginal boat trails already exist in the territory and markers are natural; the value of the lesson is being lost in many cases because there are operators/guides in the NWT who can’t see its practical application. Others feel the topic is geared to larger commercial traffic rather than the small vessels they operate on small, isolated, inland lakes.

The issue of the material in the SVOP course being designed for larger boats than those used in the NWT tourism industry was raised numerous times by operators interviewed as part of this project. Except for one tourism operator in the territory who uses a 40-foot pontoon boat, all operators interviewed run boats that are less than eight metres in overall length. Because the SVOP certificate applies to such a broad range of “small commercial vessels,” the course likewise covers a broad range of material to make it relevant for much larger vessels than those used by NWT outfitters (e.g., fishing vessels up to 15 gross tons and 14 metres long). Learning about the propulsion system

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<sup>19</sup> Penner, L. (2009). Natural Resources Technology Program Small Vessel Operator Proficiency course manual. Fort Smith, NT: Aurora College.

<sup>20</sup> Ibid, 1.

for 15-metre powerboats, for example, does not directly apply to the majority of tourism operators in the NWT.

A corresponding issue expressed is that the SVOP course is designed for boats that operate in bodies of water that see more boat traffic than those in the NWT. While those who live along the Mackenzie River and the Beaufort coast regularly encounter large vessels, the small percentage of NWT outfitters who operate in the Inuvik region (14%) mainly do so within the Mackenzie Delta, in the Aboriginal land claim settlement, in a small bay, or to and from the Pingo Canadian Landmark, and only five outfitters in the territory operate on the Mackenzie River.

Overall, most NWT outfitters and guides operate on remote bodies of water – often small, inland lakes – in a very sparsely-populated region of Canada where little to no other boat traffic is ever encountered. Most have no desire to stray far from shore because it's simply not good for business – tourists don't want to be out in big waves. It is understood that the courses are designed to provide operators of small commercial vessels with the skills and knowledge they need to safely operate a small commercial vessel anywhere in Canada, but the reality is that the majority of the operators and guides in the NWT operate solely within the territory. As a result, some of the required course material may not suit a classroom full of NWT outfitters and guides. For example, the NWT may be too dissimilar from southern Canada to teach guides in the NWT how to avoid collisions, manoeuvre and overtake vessels in the Great Lakes Basin, and test them on their ability to define the waters of the Great Lakes Basin, when most are unlikely to ever operate there. Conversely, it may not be safe that a fishing guide who only operates a small 16-foot aluminum boat between June and August on three-mile wide, inland, fly-in-only Gordon Lake northeast of Yellowknife, and who meets the requirements of the Small Vessel Operator Proficiency training course, receives lifelong certification to operate a wide range of small commercial vessels anywhere in Canada, including a 39-foot fishing vessel up to 15 gross tons 25 miles off shore in Atlantic Canada.

It should be of paramount importance that the course material is relevant and applicable to guides in the NWT. When such a large amount of technical, in-depth boating course material is presented to students over an intense five-day period, many of whom are not familiar with a classroom setting, it needs to be considered that not all of it will be retained.

It may be practical in a jurisdiction such as the NWT that presents such unique operating conditions to prioritise the most important information in the course syllabi and present what is most relevant, and consult with the NWT tourism industry to determine if there are other areas that better apply that require more focus. Some NWT operators expressed that certain topics applicable to outfitting and guiding in the territory were not covered thoroughly (e.g., cold water and wilderness survival, signalling an airplane, driving in the wind, trouble-shooting minor mechanical problems).



## Education and Language Barriers

The training manuals for the MED A3 and SVOP courses, in the opinion of the NWT instructor, are at high-school reading and reading comprehension levels, and are quite advanced for approximately 15% of students. The levels of education among outfitters and guides in the NWT vary, ranging from University graduates to those who left school after Grade 3, and a significant portion can't read or write in English. The training manuals and exams are written in English. Approximately 40% of operators interviewed as part of this project claimed that English is not the first language of the guides they employ (but rather an Aboriginal language). A quarter of the operators interviewed employ guides who cannot read and write in English, although they can converse in English.

Whatever the student's reading level, the language contained in the course manuals is not simple. Collision Regulations, for example, to which seven hours of the SVOP course are devoted, is legislation, written, read and best understood by lawyers and policy-makers, not guides with a northern outdoor education. This type of language can be very confusing and overwhelming to those not accustomed to reading that type of material. Much of the SVOP course manual is simply too technical to be understood by older guides who may have a primary school education and prefer an Aboriginal language (but who may have 30 years experience on the land and water). For example:

A planing hull form is configured to develop positive hydrodynamic lift so that its draft decreases with increased speed through the water. Where a displacement hull has flowing lines and smoothly tapers at the stern to minimize drag as the hull passes through the water, the transom of a planing hull is nearly beam width at the stern to provide added buoyancy to support the weight of the engine and provide more interior space for mechanical systems and accommodations...<sup>21</sup>

This particular section is contained in the lesson plan for the first day of SVOP training. The amount of material presented in the course timeframe can be overwhelming, particularly to those who aren't accustomed to a classroom setting and don't have English as a first language. For example, in 2009 14 students started one combined MED A3/SVOP course in Yellowknife, and five remained on the last day of the course. Just three received an MED A3 certificate and only two received SVOP certificates. This is likely due to the complexity of the course material.

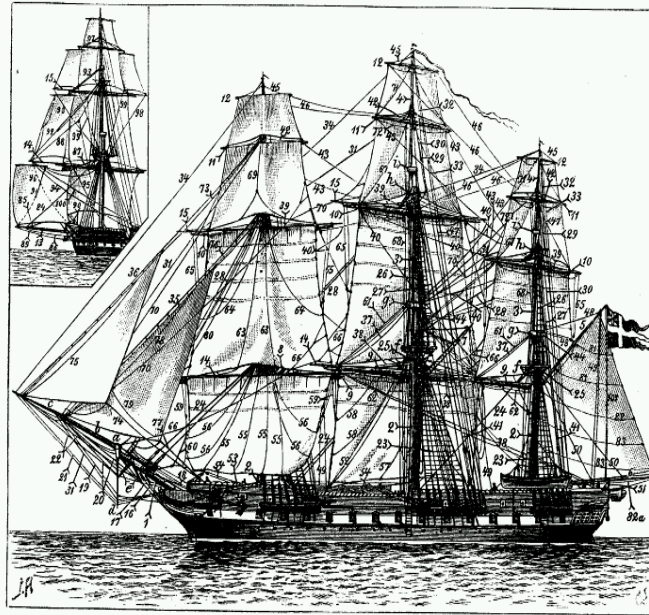
Certain tasks in the course material, such as "research and list the various parts of the rigging in the following diagram and be prepared to give a one-hour presentation in the morning,"<sup>22</sup> definitely stand to overwhelm guides. (See the diagram that follows.) In the case of the tourism industry in the NWT, it seems unfair and culturally-inappropriate to equate a guide's ability to do Internet-research (when they may not read English) and

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<sup>21</sup> Ibid, 14.

<sup>22</sup> Ibid, 10.

develop a one-hour presentation in English (when they may prefer an Aboriginal language) to their ability to safely navigate a small fishing boat on a lake they have been born and raised on. The only practical exercise required of the MED A3 course, for example, is donning a standard SOLAS life jacket.



The way certain test questions are written, or worded, seems to test language skills as much as course knowledge. For example, one really has to think about the meaning of “includes, but is not limited to” in the following question before even trying to decipher the answer:

The term ‘vessels restricted in their ability to manoeuvre’ includes, but is not limited to:

- a) a vessel engaged in servicing a navigation mark
- b) a vessel transferring cargo while underway
- c) a vessel engaged in dredging
- d) all of the above.<sup>23</sup>

If the point is to simply understand what has been taught, then it should be a simple process to get to the correct answer (all of the above).

Hiring guides that can safely operate their boats and transport tourists is a serious priority for NWT operators because their businesses rely on it. But there isn't confidence among NWT operators that the SVOP course qualifies guides to operate in the territory. One operator interviewed stated that the industry is hiring guides based on their knowledge of the land and their ability and safety, but not on their education level. There is a desire among operators to have a guide with their tourists who knows the

<sup>23</sup> Ibid.

water and the boat and when to turn back, and they don't necessarily see this guide as the same person who holds an SVOP.

For safety, the course material should be understandable by the guides and operators who need to absorb it. Many guides in the NWT have 20 to 30 years experience on the land and water, and in terms of safety and trip quality, are exactly the guides one would want to have in the NWT – yet a significant portion have not been schooled in a classroom setting. It may not be culturally appropriate to qualify guides and operators solely based on their ability to attend a course in a traditional school setting and pass a Transport Canada accredited exam. There is a risk that this method of assessment could disqualify an exceptional guide from operating in the NWT – and qualify an unexceptional guide.

### **Time and Travel Barriers**

Considerable time, planning and money are required to bring the one course instructor in the NWT, who is located on the Alberta border in Fort Smith, to the outfitters/guides (and vice versa) in a jurisdiction where air travel is often the only option. The distance between Fort Smith and Inuvik, for example, where two courses have been held, is 1,400 kilometres. While travel by road is possible, it would take 50 hours – a distance of 3,200 kilometres – through British Columbia and Yukon on roads that may be inaccessible due to weather, as a limited highway network only exists in the very southern part of the NWT. Round-trip air travel for one adult from Fort Smith to Inuvik costs approximately \$1,900 and may require up to four stopovers and two airlines. Then, operators and guides must be flown into Inuvik from other northern communities, such as Tuktoyaktuk, where there are no roads out to other communities at all.

Given the short tourism season in the NWT, most operators and guides have full time jobs, and taking a week off to travel for training that is unrelated, often in another area of the territory, can be difficult, inconvenient and costly. Operators and guides cannot simply select a time to take the course that meets their schedules; there have been seven government-supported courses held between May 2009 and April 2011, and all (but one) have taken place outside of the tourism season.

The process to become accredited by Transport Canada to deliver MED A3 and SVOP training in the NWT, including instructor certification and Transport Canada approval of course material and a “recognized institution” can be very lengthy as well. The main course instructor of MED A3 and SVOP training requires a level of certification that can take years to achieve (e.g., Master, Limited certificate). Receiving this certification can be more complicated for a resident of the NWT relative to his or her southern counterpart, particularly because of the travel (and associated time and planning) required to write exams and take courses not available in the territory.

## **Additional Burden on NWT Tourism Industry**

As discussed in Section Two (*The NWT Tourism Industry*), the NWT tourism industry faces unique challenges relative to southern Canadian tourism industries due to its remote location and associated high cost for travelers, distance from the important U.S. angling market, small tourism labour market, very short summer season, and its relatively undeveloped industry/product. The industry is feeling the effects of the economic crisis and other significant challenges including increased competition and a strong Canadian dollar, and has experienced a significant decrease in fishing tourists over the last several years.

In their current form, Transport Canada's marine safety training requirements represent additional financial, regulatory and administrative burdens for already-struggling tourism operators in the NWT. Tourism operators – most of who are small business owners barely operating for a quarter of the year – cannot absorb the training cost per employee (\$2,250), plus a week's worth of wages, and it is not sustainable for the Government of the NWT to continue to cover this burden at the expense of the territory's taxpayers. Increased business costs affect the customer in some form; in this case, higher costs would further challenge the NWT's competitiveness as a tourism destination and likely impact the level of service and facilities provided to tourists.

The time and travel required to get NWT operators and guides with other full-time jobs, trained with only one instructor in the territory and course material that in many cases overwhelms operators and guides, represents an administrative burden for the GNWT and operators. Tourism operators do not know who they are going to hire from season to season, and many feel that if they're forced to look for guides with MED A3 or SVOP training – in their point of view, guides from southern Canada that may not be familiar with NWT waters – it will put them out of business. One small tourism operator interviewed sent three guides for training recently, paying each of them for five days of work: one passed the course, one failed, and one decided not to work for him.

Some tourism operators feel that the cost to comply with all of the regulations required of them (e.g., marine training, registration, liability insurance) puts their business in jeopardy; some feel confused about the regulations that govern the sector and that the level of regulatory burden seems to be increasing and is difficult to keep up to. Unfortunately, both sentiments could result in businesses operating illegally. Modifying the level of marine regulation for the NWT tourism industry may best ensure their compliance with the rules and enhance the ability of tourism businesses to concentrate their resources on generating growth.

## Section Four: Consultation

The tourism operators, tourism stakeholders, tourism associations and various Government departments responsible for tourism were contacted by phone and followed up with emails during February and March 2011. This section deals with the results of the consultations.

### Stakeholder Positions

It is the overwhelming opinion of the tourism stakeholders and outfitters associations contacted by the GNWT that the SVOP and MED A3 training courses in their current form are burdensome, not practical for outfitters and guides in the NWT and offer information that is in excess of what is required to operate small passenger-carrying commercial vessels in the NWT.

#### *Outfitters Associations*

Over the past decade, the Canadian Federation of Outfitter Associations (CFOA) has vigorously advocated against Transport Canada's marine safety training requirements, including the MED A3 and SVOP training prescribed under the *Marine Personnel Regulations*, and continues to do so. The CFOA is an organization primarily made up of outfitting organizations from across most of Canada. The membership represents more than 5,000 hunting and fishing outfitting businesses, which have an economic impact of up to one billion dollars.<sup>24</sup> (NWT Tourism is a member of CFOA, but has a somewhat separate point of view regarding marine safety training. Please see *NWT Tourism* in this section for details.)

The President of the CFOA, with the heads of various provincial member outfitter associations, has met with several Ministers of Parliament and their respective staffs in Ottawa on numerous occasions (most recently in March 2011) and made several presentations to the Transport Minister's office to request changes to the regulations. Please see Appendix D for a copy of the brief presented to the federal Transport Minister in April 2010.

The CFOA have put forth their position to CMAC, most recently at CMAC's November 2010 meeting when the co-chair of the Québec Regional Boating Advisory Committee submitted a letter on their behalf concerning the certification of their members for the Small Vessel Operator Proficiency training course at their training facilities. They contended that due to accessibility issues, it is difficult to qualify members for SVOP certification and that the PCOC is more appropriate for operators who navigate vessels in near shallow waters. A Transport Canada Director responded that the course does not have to come from a school and that the Federation could prepare a SVOP training course, and submit it to Transport Canada for approval with a list of the instructors they want to have approved. Please see Appendix E for a copy of the brief on boating

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<sup>24</sup> Canadian Federation of Outfitter Associations. *Boating Regulations in the Canadian Outfitting Industry: Enhanced Safety and Compliance through Harmonized Regulations*. (Ottawa: April 2010), 1.

regulations submitted to CMAC. Nature and Outdoor Tourism Ontario, a member of CFOA, advised that they have no interest in teaching the training in its current form.

In 2006, the Saskatchewan Outfitters Association (SOA) developed a one-day training and certification process that would upgrade guides' skills to meet Transport Canada's requirements. Transport Canada approved it for delivery, but the SOA did not proceed with the training because it was the perspective of the CFOA at the time to continue to challenge the federal training requirements. The curriculum approved by Transport Canada acknowledged the use of oral exams as an evaluation tool.

The Executive Director of the SOA has also approached regional Transport Canada (Marine) offices in Edmonton and Winnipeg in an effort to obtain changes to the training requirements. The SOA, the Manitoba Lodge and Outfitters Association, and Nature and Outdoor Tourism Ontario have been particularly active member organizations in advocating against the marine training requirements. (There are some jurisdictions that have not felt the same effects; the issue is less significant in Québec, for example. The less stringent PCOC is sufficient for most of Québec's outfitting sector, as quite an extensive list of waters in the province have been defined in the *Vessel Certificates Regulations* as "sheltered.")

According to the SOA, Saskatchewan's outfitting sector is experiencing the same difficulties as the NWT outfitting sector in achieving overall and continued compliance with the MED A3 and SVOP training requirements.

There are 200 outfitters in northern Saskatchewan. Outfitting is a sub-sector of the Saskatchewan tourism industry and is the largest single source of export dollars in the industry. The sector consists primarily of small owner-operated businesses, which are responsible for providing equipment, guides and accommodations for hunting, angling and touring experiences throughout the province. There are approximately 650 registered outfitters in the province of which 370 may be involved in fishing. Estimates of the income for the outfitting industry are in the area of 200 million dollars with the fishing sector accounting for approximately \$120 million.<sup>25</sup>

Like in the NWT, the guiding sector in Saskatchewan has a majority of adult First Nation guides that in many situations have unique learning needs.<sup>26</sup> In Saskatchewan, 40% of guides speak Cree and another 5% speak Dene.<sup>27</sup> It is the position of the SOA that oral evaluation of trainees, particularly of older, experienced guides, is essential. They further advise delivering MED A3 and SVOP training in the language of the trainee when necessary – in their case, Cree, Dene or English. They feel that translation should be made available if necessary.

According to the CFOA, the SVOP training course is not readily available in many northern communities where the industry operates, and is also not appropriate to the

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<sup>25</sup> Saskatchewan. Saskatchewan Outfitters Association. *Small Commercial Vessel Operator Program Planning & Delivery*. 2006, 3.

<sup>26</sup> Ibid, 6.

<sup>27</sup> Ibid, 8.

needs and realistic safety requirements of the industry. The PCOC is a much more appropriate qualification for the industry.<sup>28</sup> With regard to MED A3 training, the CFOA believes that standard first aid training (e.g., St. John Ambulance, Red Cross) is more appropriate, and more readily available, and should be permitted in place of MED A3.

Accessibility of training is an issue for the SOA and Nature and Outdoor Tourism Ontario in the northern areas of their respective provinces. In Saskatchewan, for example, 90% of fishing guides are located in the northern half of the province.<sup>29</sup> Travel costs from and to the north are considerable, particularly for the many fishing operations and communities that are not road accessible. The SOA advises that an instructor deliver a program on site rather than transport the guide to a central area to receive instruction.<sup>30</sup>

The CFOA notes that boats are often operated interchangeably by guests and guides in the outfitting sector, and takes issue with the fact that guides are required to meet onerous commercial vessel requirements (e.g., SVOP training) while guests may operate the boat after completing a rental boat safety checklist, for example. It is their position that these requirements “will cause either widespread involuntary non-compliance due to the lack of availability of the required course, or it will cause tourist operators to elect not to provide the added safety benefit of guides, since the guest can legally operate the boats themselves.”<sup>31</sup>

The CFOA believes that this issue can be addressed with no compromise to safety, by simply harmonizing the small commercial vessel regulations with the pleasure craft regulations. Operator qualifications, equipment carriage, construction standards, and registration for all vessels under 12 metres should be the same for both pleasure craft and commercial vessels.<sup>32</sup> In other words, they believe that the PCOC should be considered an acceptable alternative to the SVOP certificate for operators of passenger-carrying vessels under 12 metres in overall length in all inland waters.

It is the opinion of the CFOA that the requirements for MED A3 and SVOP training place a significant burden on the tourism industry. Given the industry’s seasonal nature, small tourism businesses are put at risk when they are expected to meet the high training costs required to continually train guides in remote locations that turnover from season to season.

### *NWT Tourism*

NWT Tourism (NWTT) is the Destination Marketing Organization for the NWT and is funded by the GNWT. Shane Jonker – a member of NWTT’s Board of Directors and representative of the largest outfitter in the territory with seven lodges – has energetically lobbied on behalf of NWTT in recent years for changes to the marine

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<sup>28</sup> Canadian Federation of Outfitter Associations. *Brief on Boating Regulations*. (Québec City: October 2010), 1.

<sup>29</sup> Saskatchewan. Saskatchewan Outfitters Association. *Small Commercial Vessel Operator Program Planning & Delivery*. 2006, 9.

<sup>30</sup> Ibid, 9.

<sup>31</sup> Canadian Federation of Outfitter Associations. *Brief on Boating Regulations*. (Québec City: October 2010), 2.

<sup>32</sup> Ibid, 2.

training requirements for the NWT. Most recently (early 2011), Mr. Jonker presented their position, which follows, to the federal Transport Minister's Office in Ottawa.

The NWT tourism industry strives to comply with the marine operator requirements for MED A3 and SVOP training, but the seasonal nature of the tourism industry, limited availability of courses and costly access, and course material that is in many cases too challenging and unconnected to the NWT, are among the factors that make overall industry compliance extremely challenging. There are hundreds of boat operators in the territory that are simply unable to comply with the current marine training requirements, and more that are unaware of the regulatory requirements than are aware. NWTT feels that the marine training requirements, in their current form, risk shutting down an entire industry. There are a number of suggestions that NWTT has put forward that they believe will improve the safety of the industry, give the outfitting industry a chance at compliance and eliminate the bias that the current situation has towards disqualifying Aboriginals.<sup>33</sup>

NWTT firmly believes that operators in the NWT should be responsible for training their guides. In their opinion, the combined course syllabi for MED A3 and SVOP training is lengthy, often unrelated to operating in the NWT, and lacks a practical element. Many operators feel that five days in a classroom outside of open water season, where the only practical exercise consists of donning a life jacket, is not sufficient or practical for operating in the NWT; guides put an operator's business on the line when they take a tourist out in a boat. Because their livelihood is at stake, tourism operators want nothing other than high-quality training for their guides. In fact, some currently offer their own guide training that includes a practical component that, in their opinion, exceeds what is currently taught through MED A3 and SVOP courses. Allowing for operator training of guides, in their opinion, puts the onus on the operator to provide training that is safe, practical and tailored to the environment and operating conditions, and as they see it, would not limit operators from using outside material and/or outside delivery. Operator training of guides would parallel safety training in the aviation industry, which is commonly written, delivered and examined by the operator. It would be NWTT's desire to set up an expert working group consisting of select industry operators and representatives from Transport Canada and the Government of the NWT to dissect the MED A3 and SVOP training course syllabi and create a tailored program, including a practical element, which trains guides on the components that directly apply to operation in the NWT. As an outcome, the operator would have the ability to licence a guide for operation who successfully completes the program. The training program would also include an enforcement component whereby Transport Canada inspectors would visit operators to audit the training to ensure that it meets the original intent. Overall, it is the opinion of NWTT that, for the NWT, this system of training would be much more productive than taking three years and \$120,000 from the public purse to put a band-aid on a region by certifying a mere 45 drivers.<sup>34</sup>

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<sup>33</sup> S. Jonker, personal communication, February 2, 2011.

<sup>34</sup> S. Jonker, personal communication, February 2, 2011.



NWTT proposes that Table 1 (Master and Mate Certificates) in section 212 of the *Marine Personnel Regulations* be amended to include the following row:

|      | Column 1  | Column 2         | Column 3   | Column 4   | Column 5   |
|------|---|------------------|--|--|--|
| Item | Certificate   | Unlimited Voyage | Near Coastal Voyage, Class 1   | Near Coastal Voyage, Class 2   | Sheltered Waters Voyage  |
| 20.  | PCOC and operator training of SVOP syllabus applicable to operation of vessel | N/A              | Operator, vessel of not more than 6 m in overall length carrying six or fewer passengers | Operator, vessel of not more than 6 m in overall length carrying six or fewer passengers | Operator, vessel of not more than 6 m in overall length carrying six or fewer passengers |

A description in the table notes (i.e., Note 3) would outline the operator's responsibility to conduct, examine and record training components as applicable to the operation.

NWTT also proposes that the table in section 205 of the *Marine Personnel Regulations* be amended to include the following rows:

|      | Column 1   | Column 2                         | Column 3  | Column 4   | Column 5                                     |
|------|--|----------------------------------|---|--|--|
| Item | Vessel Type and Voyage Classification  | MED with respect to basic safety | MED with respect to small passenger vessel safety | MED with respect to small non-pleasure vessel basic safety | Pleasure Craft Operator Card                 |
| 11.  | A vessel that is not more than 6 m in overall length, that carries six or fewer passengers, and that is engaged on a sheltered waters voyage | N/A                              | N/A   | N/A  | Applicable plus additional operator training |
| 12.  | A vessel that is not more than 6 m in overall length, that carries two or fewer passengers, and that is engaged on a near coastal voyage     | N/A                              | N/A   | N/A  | Applicable plus additional operator training |

A description in the table notes (i.e., Note 1) pertaining to column five would specify that additional operator training includes MED A3 level syllabus components that are applicable to the operation, and that the training program must include examination and a training record.

### *Tourism Operators*

Tourism operators in the NWT have raised several issues to the GNWT regarding the required MED A3 and SVOP training. As part of this project, 25 licensed tourism operators in the NWT whose business includes taking tourists out in a boat were interviewed to determine the issues that exist and recommendations for improvement. Of the operators interviewed, 16 had taken, and/or sent guides for, the combined MED A3 and SVOP training, (there are approximately 78 tourism businesses in the territory that take tourists out in a boat).

For the most part, tourism operators in the NWT view the marine safety training requirements as burdensome and of little value or relevance to the tourism business they operate in the NWT. One operator estimated that 75% of the course material was not applicable to operating in the NWT; another approximated that, of the five days, there was probably just 8-10 hours worth of information directly relevant to a fishing lodge operator/guide in the NWT.

In discussions with operators, the feeling that the marine safety training rules and requirements are biased prevailed. Several operators take issue with the fact that there is no prerequisite for experience, and that someone with no boating experience at all could pass the MED A3 and SVOP exams and receive lifelong certification to operate a small commercial vessel in the NWT. There was a strong opinion among operators that outfitting in the NWT is a unique experience, with distinct operating conditions, and that experience in these waters that are different than in any other Canadian region (e.g., cold water, harsh weather and climate) trumps a five-day classroom course where certain subjects not entirely relevant to operating in the NWT are taught and tested.

Atypical of perhaps any other industry, many operators said that the best employees (guides) have no formal education (i.e., in a school environment). It was a common expression among operators that guides are hired based on their knowledge of the land and water and their ability to safely operate a boat, not on their education level. It is this skill set that guides possess, rather than a classroom education, that allows operators to comfortably and confidently trust their businesses and livelihoods to them. It is paramount that the guides that operate their boats know the water so well that it is not a question of when to turn back, or where to drive to avoid the big waves that scare tourists – and in many cases the guides they employ do have these skills and this knowledge, but are unable to pass the MED A3 and SVOP courses they require to drive the boats that they already drive so capably in the NWT. One operator expressed the concern that safety suffers when guides from the NWT can't pass the training courses and operators are forced to look for guides in southern Canada that have the

appropriate certification, but aren't familiar with NWT waters. Another stated that forcing them to look for guides with training is going to put them out of business.

Most operators noted that the courses were difficult for those without English as a first language. One Aboriginal operator said the course material was overwhelming, too complicated and too wordy, particularly for his guides who could only read "a bit;" he saw guides who couldn't pass. Another operator reported noticing that those from "smaller communities" and "older people" struggled with the material. Some operators said that an interpreter in the classroom would really have helped their guides; another said that an oral exam should be offered, and several said that the course material has to be simplified and applicable so that it can be understood and for guides to gain value from it.

Nearly all operators interviewed complained about the amount of course time spent on topics they felt do not apply in the NWT (e.g., lights, navigation, identification of large vessels). Because many operate fishing lodges or hunting camps on small, isolated lakes in the territory, the feeling exists that the courses are "southern-based" and for those that operate larger boats off major ports on large bodies of water. In lieu of the topics they felt were irrelevant, operators would like to see time devoted to practical exercises and subjects such as wilderness survival and understanding the water, waves and wind on bodies of water like Great Slave Lake.

Operators felt the five-day course was too long, intense and put forward too much information at once. Many complained about the difficulty they experienced getting guides to take a week off their full-time jobs for training, and the associated cost in wages. Some guides simply couldn't be away from work and home for five days. In general, operators and guides want a flexible training schedule (e.g., nights over a period of a couple of months, training offered locally on a series of weekends). Most operators claimed to be feeling the effects of the economy, and feel that the current marine training requirements make a bad situation worse.

Operators agree that there should be standards and safety training, but they feel the current system isn't working in the NWT. All want a course to be provided that directly applies to the tourism industry in the NWT, and many would like to be a part of its development.

Like NWTT, seven operators suggested operator training of guides. Operators feel more comfortable with the idea of a training system that puts the onus for safety on them, rather than Transport Canada accredited courses. Most in favour of operator training are also in favour of conducting examinations in-house.

Other suggestions included:

- Allowing NWT tourism industry guides to operate with a PCOC (though it is noteworthy that some feel that the PCOC is not sufficient in terms of skill requirements);
- Implementing MED A3 and SVOP training at a junior high school level in the NWT and Nunavut so that students graduate with these qualifications;
- Training and testing those who operate on inland waters and coastal water differently; and,
- Simplifying/modifying operator training requirements for passenger carrying vessels up to eight metres in overall length that carry six or fewer passengers in the NWT.

## **Other Government Positions**

### *Federal – Transport Canada*

Transport Canada is aware that there are challenges that some tourism operators and guides in the north face in meeting the marine training requirements, and it is their preference to resolve issues within the boundaries of the current regulations. There is a risk assessment process, for example, that a client subject to the Small Vessel Operator Proficiency requirement (e.g., a tourism operator running a commercial vessel eight metres or less in length that carries six or fewer passengers on a “near coastal voyage, class 2”<sup>35</sup>) could complete that may extend the validity of the PCOC for his or her situation. The client could complete the risk assessment form on the body of water with historical information (e.g., wave height, wind velocity, climate information) and submit it to Transport Canada. (It is possible to complete the risk assessment using affidavits from those who have operated on the water for years (such as RCMP, Indian and Northern Affairs Canada, etc. if historical information on the body of water is unavailable.) If the area passes the risk assessment process, then it may be designated by Transport Canada as sheltered water in the *Vessel Certificates Regulations*, and a PCOC would apply. If the area does not pass, then Transport Canada concludes that the operating risks are high and the operator requirement for an SVOP certificate would continue to apply. Transport Canada may open up the *Vessel Certificates Regulations* once a year, in September, to designate new waters as sheltered.

Transport Canada indicates that the Regional CMAC meeting in Yellowknife in May is an appropriate forum for consultation on the issue of marine training requirements.

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<sup>35</sup> Means a voyage (a) that is not a sheltered waters voyage; and (b) during which the vessel engaged on the voyage is always (i) within 25 nautical miles from shore in waters contiguous to Canada, the United States (except Hawaii) or Saint Pierre and Miquelon, and (ii) within 100 nautical miles from a place of refuge. (*Vessel Certificates Regulations* 2007 s.1)

### *Provincial/Territorial*

To date, the Yukon tourism industry has not raised concerns to the Government of Yukon regarding the MED A3 and SVOP training requirements, but has indicated that the requirements represent a potential industry issue. (The industry was not aware of the operator requirements prior to this project; the Wilderness Tourism Association of the Yukon began notifying potentially affected operators and other tourism organizations in March 2011.) An outfitting sector like that which exists in the NWT (e.g., guided fishing) does not exist in the Yukon, however, there are approximately 10 tourism operators in the Yukon who run motorized river trips or motor-boat supported canoe trips. There is no instructor in the Yukon who is certified to teach the MED A3 and SVOP courses, although it is anticipated that a trainer will be brought to Whitehorse to deliver the courses to Yukon operators in May 2011. The Government of Yukon's Tourism Branch will contribute funding for hosting the training, and operators will be able to access the Yukon Tourism Training Trust Fund to help offset training costs. The Wilderness Tourism Association of the Yukon is concerned about additional administrative and training costs for the operators that may be affected, but also recognizes the importance that well-trained staff plays in helping ensure safe wilderness experiences.

The Government of Nunavut spends just under \$200,000 per year on MED A3 and SVOP training. As Nunavut Fisheries Training Consortium provides the training, it caters mainly to the fishing industry – those operating commercial fishing vessels, primarily in the ocean. While the course is open to all small commercial operators, it is not directed at tourism operators. Student failure of the courses has not been an issue in Nunavut like in the NWT, perhaps because the training is more relevant for the fishing industry that operates in ocean waters, or because they have used an interpreter to assist with program delivery and conduct oral exams when required. The Government of Nunavut accepts the operator requirements for MED A3 and SVOP training and feels that the Nunavut tourism industry has benefitted from government investments in training for their commercial fishing industry.

As noted in Section Four of this paper (*Outfitters Associations*), Saskatchewan's outfitting sector takes issue with the MED A3 and SVOP training requirements. The Government of Saskatchewan acknowledges the challenges faced by the sector, particularly operators in remote parts of the province, but believes that the training courses are significant contributors to trip quality and the safety of tourists and do not act as barriers to the industry's growth or development.

Some other provincial governments, including Ontario and Manitoba, indicate they are not involved with the issue. British Columbia's tourism industry has not raised the issue with the provincial Department of Jobs, Tourism and Innovation.

## Section Five: Options

### Options

There are at least three broad options that Transport Canada may wish to pursue to ensure that tourism operators, outfitters and guides in the NWT receive adequate, safe, culturally-appropriate and relevant MED A3 and SVOP training:

**1 – Status Quo:** The course syllabi for MED A3 and SVOP training remain unchanged; tourism operators and guides in the NWT are subject to the same marine safety training and certification requirements as operators and guides in other parts of Canada.

Implementation: None.

#### **Advantages:**

- No administration required on the part of Transport Canada

#### **Disadvantages:**

- Certification rate is poor and potential for improvement is low
- Average certification cost of \$2,250 for Small Vessel Operator Proficiency (excluding guides' wages) is unsustainable for the Government of the NWT and cannot be absorbed by operators/outfitters
- Courses are difficult to access and there is only one Transport Canada approved instructor in the NWT
- No industry buy-in; course material is not relatable
- Risk exists that value of lessons may be lost; course material and language are difficult to understand for a significant number of students.
- Puts NWT tourism industry at jeopardy; businesses may fail and there is potential for illegal operation among those who can't obtain certification.
- Requirements represent additional financial, regulatory and administrative burdens for already-struggling tourism operators and hinder the competitiveness of the NWT as a tourism destination
- Approach can result in unequal system of certification (e.g., may disqualify Aboriginal population)
- Issues will never abate given high turnover; industry will never be "fully trained"

**2 – Customized, Operator-delivered Training (Recommended):** Outfitters/tourism operators in the NWT are responsible for training and certifying their guides.

Implementation: A working group consisting of select industry operators and representatives from Transport Canada and the GNWT is established to dissect the MED A3 and SVOP training course syllabi and create a tailored program for the NWT that includes a practical element. Certification restricts operation to the NWT. Transport Canada exempts the NWT tourism industry from the requirements of sections 205 and 212 in the *Marine Personnel Regulations*.

**Advantages:**

- Allows for broader certification of industry
- Offers the GNWT a better rate of certification for their investment
- Training is tailored to the NWT tourism industry to make it more relevant
- Approach results in equal system of certification (e.g., oral exams, interpreter, practical component)
- Courses are easy to access (e.g., offered at place of employment during open water season)
- Training is flexible (e.g., evenings, weekends) and provides greater flexibility for operators in hiring
- Industry buy-in; NWT tourism stakeholders have expressed desire for new system and favour operator-training of guides
- The GNWT supports implementation of this option. Transport Canada has the power to enforce the intent of the training program.
- Transport Canada oversees enforcement

**Disadvantages:**

- Transport Canada does not favour this approach
- Requires Transport Canada to administer the change
- Approach requires consequential amendments
- Opens the door to similar requests from other jurisdictions and industries, or national change
- Transport Canada lacks ultimate control over training and certification
- Implementation would need to be financed by the Government of the NWT
- Placing the onus on the operator does not entirely eliminate the potential for illegal operation or guarantee safety

**3 – Special Rule for the NWT:**

**A. Pleasure Craft Operator Card (PCOC) Expansion:** The validity of the PCOC is extended for commercial vessels eight metres or less in overall length that carry six or fewer passengers on voyages that are Near Coastal, Class 2 in the NWT.

Implementation: By way of regulatory amendment, Transport Canada extends the application of the PCOC in Table 1 (Master and Mate Certificates) in section 212 of the *Marine Personnel Regulations* for operators of a vessel of not more than eight metres in overall length (except tugs) carrying six or fewer passengers to Near Coastal Voyages, Class 2 in the NWT.

**Advantages:**

- Obtaining a PCOC is relatively inexpensive (e.g., \$60 per person); industry can absorb costs
- Exam is easily accessible (e.g., online)
- Approach offers flexibility for operators in hiring and reduces time commitment for guides

**Disadvantages:**

- Transport Canada does not favour this approach and it is not the preferred option of tourism stakeholders as a whole
- Training is not required to obtain PCOC; safety training becomes optional
- Requires Transport Canada to administer the change
- Approach requires consequential amendments
- Opens the door to similar requests from other jurisdictions, or national change
- MED A3 requirement still applies
- Does not entirely eliminate the potential for illegal operation
- Training is not tailored to the NWT tourism industry
- Does not address issue of unequal system of certification (e.g., the ability to read and write in English is required)

**B. SVOP Exemption:** Operators of commercial vessels eight metres or less in overall length that carry six or fewer passengers on voyages that are Near Coastal, Class 2 in the NWT are exempt from the SVOP requirement.

Implementation: By way of regulatory amendment, Transport Canada exempts operators of vessels of not more than eight metres in overall length (except tugs) carrying six or fewer passengers in the NWT from the requirement for a SVOP training certificate in section 212 of the *Marine Personnel Regulations*.

**Advantages:**

- Removes training and associated costs for industry and the Government of the NWT
- Eliminates industry issues with SVOP training and certification (e.g., relevancy of material, accessibility, language and education barriers)

**Disadvantages:**

- Safety training is not regulated; places tourism industry at risk
- Transport Canada does not favour this approach
- Requires Transport Canada to administer the change
- Approach requires consequential amendments
- Opens the door to similar requests from other jurisdictions and industries, or national change
- MED A3 requirement still applies

**C. Expanded Sheltered Waters:** An expanded schedule of sheltered waters in the NWT extends the validity of the PCOC for tourism operators, outfitters and guides operating on bodies of water that pass Transport Canada's risk assessment process.



Implementation: Transport Canada commits to working with the NWT tourism industry and the GNWT to process risk assessments. Areas that pass the risk assessment will be designated by Transport Canada as sheltered waters in the *Vessel Certificates Regulations* and a PCOC will apply accordingly.

**Advantages:**

- Transport Canada favours working within the boundaries of the current regulation
- For those operators to whom the PCOC may apply:
  - Obtaining a PCOC is relatively inexpensive (e.g., \$60 per person); industry can absorb costs
  - Exam is easily accessible (e.g., online)
  - Approach offers flexibility for operators in hiring and reduces time commitment for guides

**Disadvantages:**

- Does not deal with the issues that tourism stakeholders and the GNWT have with MED A3/SVOP training and certification
- Creates an arbitrary and unequal approach to certification
- Approach creates unlevel playing field in industry (e.g., some operators will require SVOP, others PCOC)
- SVOP requirements apply in the interim
- Required historical information for risk assessment process may be difficult to obtain in the NWT
- Requires Transport Canada to administer the change
- For those operators to whom the PCOC may apply, training is not required and safety training becomes optional
- MED A3 requirement still applies
- Does not eliminate the potential for illegal operation

## APPENDICES

### Appendix A: MED A3 Course Outline

| Item | SUBJECT AREA  | Theory           | Practical     |
|------|---|------------------|---------------|
| 1.   | Introduction and Safety<br>1. Introduction<br>2. Course safety  | 0.25 hr          |               |
| 2.   | Hazards and Emergencies<br>1. Types of emergencies<br>2. Emergencies on small fishing boats   | 0.25 hr          |               |
| 3.   | Emergency Response<br>1. Signals and alarms<br>2. Muster lists<br>3. Drills and training<br>4. Action upon discovering emergency<br>5. Action when called to an emergency   | 1.0 hr           |               |
| 4.   | Marine Firefighting<br>1. Nature of fire<br>2. Principles of extinguishment<br>3. Classes of fire and their symbols<br>4. Extinguishing agents<br>5. Portable extinguishers<br>6. Fire response and fire extinguishing<br>7. Fire causes and prevention | 1.5 hr           |               |
| 5.   | Lifesaving Appliances and Abandonment<br>1. Lifejackets and flotation devices<br>2. Immersion suits and work suits<br>3. Life buoys<br>4. Life rafts, emergency boats and equipment   | 1.75 hr          | 0.75 hr       |
| 6.   | Survival<br>1. Factors relating to survival<br>2. Actions to increase chances of survival and rescue<br>3. Actions taken after abandoning in a survival craft   | 0.5 hr           |               |
| 7.   | Signalling<br>1. Recognition and operation of signalling devices including pyrotechnics<br>2. Electronic communication  | 1.25 hr          | 0.75 hr       |
| 8.   | Rescue<br>1. Rescue equipment<br>2. Vessel rescue<br>3. Helicopter rescue   | 0.5 hr           |               |
| 9.   | Evaluation  | 0.5 hr           |               |
|      | <b>TOTAL INSTRUCTIONAL TIME</b>   | <b>6.5 hr</b>    | <b>1.5 hr</b> |
|      | <b>EXAMINATION</b>  | <b>0.5 hours</b> |               |
|      | <b>TOTAL PROGRAM</b>  | <b>8.0 hours</b> |               |

## Appendix B: Marine Personnel Regulations Requirements for Small Non-Pleasure Vessels



Transport Canada  
Marine Safety

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Sécurité maritime

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### Marine Personnel Regulations Requirements for Small non-Pleasure Vessels

#### General

Section 211 of the *Marine Personnel Regulations* requires that every vessel that is required to carry an inspection certificate is also required to carry a Safe Manning Document, setting out the numbers of crew and their qualifications.

Section 9 of the *Vessel Certificate Regulations* specifies that the following vessels must carry Canadian Vessel Inspection Certificates:

- Vessels of 15 gross tonnage or less that carry more than 12 passengers
- Vessels of more than 15 gross tonnage
- Pleasure craft and commercial river rafts are exempt.

The operator certification requirements for vessels not required to carry a Safe Manning Document are set out below.

#### Master / Operator Requirements

The following table shows the operator requirements according to section 212 of the *Marine Personnel Regulations* for vessels ≤ 15 GT operating in certain areas.

| Vessel   |                               | Near Coastal 1   | Near Coastal 2 (NC2)                     |  | Sheltered Waters                         |
|--|-------------------------------|--|--|--|--|
|  |                               |  | > 2 Nm. from shore                       | ≤ 2 Nm. from shore                       |  |
| Passenger-Carrying Vessels (<12 passengers)  | > 5 GT                        | Master 150 GT (Domestic)<br><br>(if endorsed for limited, contiguous waters) | Limited Master < 60 GT                   | Limited Master < 60 GT                   | Limited Master < 60 GT                   |
|  | ≤ 5 GT and > 8m               |  | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) |
|  | > 6 passengers and < 8 m      |  | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) |
|  | ≤ 6 passengers and < 8 m      |  | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) | PCOC (Pleasure Craft Operator Card)      |
| Workboats  | > 5 GT                        | Master 150 GT (Domestic)<br><br>(if endorsed for limited, contiguous waters) | Limited Master < 60 GT                   | Limited Master < 60 GT                   | Limited Master < 60 GT                   |
|  | ≤ 5 GT and > 8m (except tugs) |  | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) | SVOP (Small Vessel Operator Proficiency) |
|  | ≤ 8m (except tugs)            |  | SVOP (Small Vessel Operator Proficiency) | PCOC (Pleasure Craft Operator Card)      |  |
|  | Tugs                          |  | Limited Master < 60 GT                   | Limited Master < 60 GT                   | Limited Master < 60 GT                   |
| Fishing Vessels  | > 15 GT                       | FM 4 (Fishing Master Class 4) or Certificate of Service < 60 GT              | FM 4 or Certificate of Service < 60 GT   | FM 4 or Certificate of Service < 60 GT   | FM 4 or Certificate of Service < 60 GT   |
|  | ≤ 15 GT                       |  | SVOP (Small Vessel Operator Proficiency) | PCOC (Pleasure Craft Operator Card)      |  |
| This table is for the convenience of users. If any discrepancy is found between the <i>Marine Personnel Regulations</i> and the table, the <i>Regulations</i> shall prevail. |                               |  |  |  |  |

Implementation dates for the table are as follows:

Les dates de mise en vigueur des prescriptions du tableau ci-dessous sont les suivantes:

Workboat (including tugs) / Bateau de travail (incluant remorqueurs) ≤ 10 GT Nov 7, 2010  
Passenger-carrying vessel / Bâtiments à passagers ≤ 5 GT or ≤ 8m Nov 7, 2009

Implementation dates for fishing vessels

Dates de mise en vigueur pour les bâtiments de pêche:

jaugage brute ≤ 60 Gross Tonnage and / et > 15m Nov 7, 2008  
≤ 15m and / et > 14m Nov 7, 2009  
≤ 14m and / et > 13m Nov 7, 2010  
≤ 13m and / et > 12m Nov 7, 2012  
≤ 12m and / et > 6m Nov 7, 2015  
≤ 6m Nov 7, 2016

All other operators must comply with the requirements on the coming into force of the regulations.  
Tous les autres utilisateurs doivent se conformer aux exigences du Règlement lors de sa mise en vigueur.

**Note**—A fishing vessel operator who has 7 seasons as master, before the coming into force of the regulations, with no two seasons in the same year, does not require a **Small Vessel Operator proficiency Certificate** or **Pleasure Craft Operator Card** to operate a fishing vessel ≤ 15 GT in Near Coastal Class 2 or Sheltered Waters.

**Note**—Un utilisateur de bâtiment de pêche qui a été capitaine pendant 7 saisons avant la mise en vigueur du Règlement, sans que ces deux saisons soient dans la même année, n'est pas tenu de détenir un **certificat de formation de conducteur de petits bâtiments** ou la **carte de conducteur d'embarcation de plaisance** pour utiliser un bâtiment de pêche d'une jauge brute de 15 tonnes ou moins lors de voyages dans des eaux abritées ou à proximité du littoral, classe 2.

Canada

RDIMS # 2414112

## Appendix C: Small Vessel Operator Proficiency Course Outline

| Item | SUBJECT AREA   | Theory  | Practical |
|------|--|---------|-----------|
| 1.   | <b>Introduction</b><br>Understand the scope, purpose and limitations of the certificate.<br>Define a non-pleasure operator and when a vessel is considered non- pleasure.<br>Know who requires a small vessel operator's certificate.<br>Know Transport Canada's Small Vessel inspections and Monitoring Program.<br>Master's responsibility - safety (life, environment and property) and commercial aspects.   | 1.0 hr  |           |
| 2.   | <b>Terminology</b><br>Definitions used to describe direction, locations and structural components of a small vessel.<br>Know the basic terminology used in small vessel construction.  | 0.5 hr  |           |
| 3.   | <b>Vessel Hull Types and Configurations</b><br>Knowledge of the nature of displacement and planning hulls.<br>Describe an open vessel, enclosed hull vessel, inflatable rescue craft, a Catamaran and other hull types.<br>Describe the various propulsion systems available for small vessels<br>Including, outboard motors, stern drives, inboard engines and jet drives.  | 0.5 hr  |           |
| 4.   | <b>Seamanship</b><br>Understand the role of ropes, lines, knots and splices in the marine industry.<br>Explain the different construction methods and properties and limitations of synthetic and natural line.<br>List the names of the common mooring lines and how properly secure a vessel to a dock (floating and non-floating wharves).<br>Understand the role and when to use fenders.<br>Demonstrate basic knots, bends and hitches<br><br><b>Anchors and Anchoring</b><br>Explain the different variations of small vessel anchors.<br>Understand what constitutes a good anchorage.<br>Know how to properly lower and set an anchor.<br>Know the procedures for riding at anchor.<br>Know how to properly weigh and stow the anchor.   | 1.0 hr  |           |
| 5.   | <b>Collision Regulations</b><br>A basic understanding of the Collision Regulations and Canadian Modifications with particular reference to:<br>Demonstrate the knowledge of the terminology; making way, underway, risk of collision, stand on, give way, safe speed.<br>Responsibilities for collision avoidance.<br>The need to keep a proper lookout.<br>Recognition the signs, lights and shapes carried by vessels encountered in the area of operation.<br>International Distress Signals.<br>Understand the benefit and requirement to use a radar reflector.<br>Understand actions to be taken in sight or out of sight of other vessels <i>i.e</i> in good visibility or reduced visibility.<br>Navigation Lights<br>Sound signals<br>Describe navigation lights for small vessels including; masthead light, sidelights and the stern light.<br>Understand the role and use of all-round navigation lights.<br>Understand the role and use of an anchor light<br>Understand the role and use of shapes on own vessel and observed. | 3.0 hrs | 4.0 hrs   |



|     |  |                 |                 |
|-----|--|-----------------|-----------------|
|     | Explain fairway, bifurcation, cautionary, isolated and special purpose buoys.<br>Explain how cardinal buoys indicate the preferred passage.<br>Understand the significance of Scuba diving buoys and the “diver’s flag”.   |                 |                 |
| 10. | <b>Power Vessel Operations</b><br>Understand the principle of small vessel steering including tiller and wheel control.<br>Understand the principle of single and twin-engine vessels.<br>Explain basic engine starting and shut down procedures.<br>Explain manoeuvring alongside and casting off a dock, including vessel’s turning circle also knowing your boat’s manoeuvring characteristics.<br>Know the procedures for operating in good and reduced visibility.<br>Know the precautions when overtaking another craft.<br>State the procedures to respond emergencies such as; a breakdown, a hull leak, a capsizing, a person in the water or a man overboard.  | 1.0 hr          | 0.5 hr          |
| 11. | <b>Search and Rescue Resources</b><br>Know the Search and Rescue resources available in inland water.<br>Know the Marine SAR coordination system in the operational area.<br>Understand what happens after an “operator” initiates a distress call.<br>Know the spoken Distress, Urgency and Routine prefixes on VHF radio.<br>Understand the responsibilities when hearing or responding to a distress  | 1.0 hr          |                 |
| 12. | <b>Maritime Law and Protection of the Marine Environment</b><br>Identify the Canada Shipping Act -2001<br>A basic understanding of the provisions of the:<br>Small vessel regulations familiarize with provisions and awareness of where to look up carriage requirements<br><i>Oil Pollution Prevention Regulations,</i><br><i>Sewage Regulations for non-pleasure craft.</i><br><i>Garbage Pollution Prevention and Regulations</i><br><i>Marine mammals Protection Act</i><br>Incident reporting.   | 1.0 hr          |                 |
| 13. | <b>Departure Preparation</b><br>Understand the importance of running the bilge blower<br>Understand the necessity of planning for fuel consumption.<br>Understand the benefit of using a “Departure Checklist”.<br>Understand how to file a “Sail or Trip plan”.<br>Understand the requirement to be aware of local hazards within the operational area.<br><br><b>Quick Reference Checklists</b><br>The benefits of using a “Daily Maintenance Checklist” to operational safety.<br>The benefits of using a “Weekly Maintenance Checklist” to improve operational safety.<br>The benefits of a “Safety Gear Checklist” to improve operational safety.<br>The benefits of using an “Engine Start Checklist” to improve operational safety.<br>The benefits of using a “Departure Preparation” to improve operational safety.<br>The benefits of using a “Voyage checklist” to improve operational safety.<br>Explain the benefits of using a “Post Voyage Checklist” to improve operational safety.<br>The benefits of using a “Refuelling Checklist” to improve operational safety.<br>The benefits of using a “Heavy Weather Checklist” to improve operational safety. | 0.5 hr          | 0.5 hr          |
|     | <b>TOTAL INSTRUCTIONAL TIME</b>  | <b>20.0 hrs</b> | <b>10.0 hrs</b> |
|     | <b>EXAMINATION</b>   | <b>2 hours</b>  |                 |
|     | <b>TOTAL PROGRAM</b>   | <b>32 hours</b> |                 |

**Appendix D: Canadian Federation of Outfitter Associations' Brief on Boating Regulations (Presented to Federal Transport Minister, April 2010)**

*Boating regulations in the Canadian outfitting industry*

**Enhanced safety and compliance through harmonized regulations**

**Brief presented to the Office of the Minister for Transport Canada**

April 19<sup>th</sup>, 2010

Ottawa





**Brief on Boating Regulations**  
**April 19, 2010, Ottawa**

**Presented to: Hon John Baird, Minister of Transport,  
Infrastructure & Communities**

**By: Canadian Federation of Outfitter Associations**

The Canadian Federation of Outfitter Associations is a federal organization made up of outfitting organizations from across most Canadian provinces, the NWT and the Yukon. The membership represents more than 5,000 hunting and fishing outfitting businesses, which have an economic impact of up to 1 billion dollars.

Changes to the Canada Shipping Act made several years ago greatly broadened the definition of Commercial Vessel. Under the new act, any boat that is operated by an employee, regardless of size, is considered a commercial vessel and new operator qualifications are mandated.

***The CFOA believes that this issue can be addressed with no compromise to safety, by simply harmonizing the small commercial vessel regulations with the pleasure craft regulations. Operator qualifications, equipment carriage, construction standards, and registration for all vessels under 12 metres should be the same for both pleasure craft and commercial vessels.***

Although TC made a small move in this direction by allowing the Pleasure Craft Operator Card as qualification for operators of small commercial vessels in sheltered waters, this does not apply in non-sheltered waters, where the Small Vessel Operator Proficiency course and marine first aid qualifications are required.

The SVOP course is not readily available in many northern communities where the industry operates, and is also not appropriate to the needs and realistic



safety requirements of the industry. The Pleasure Craft Operator Card is a much more appropriate qualification for the industry. Standard first aid qualification is readily available and generally required by provincial regulations, and should be permitted in place of marine first aid training.

There is also a pending requirement for carriage of small vessel life jackets in place of the personal flotation devices currently in use. Many passengers customarily wear PFDs, since many are designed for comfortable wear. Life jackets are not practical for wear except in an emergency, so this move will compromise safety by replacing voluntary wear of PFDs with mandatory carriage of life jackets that are not worn.

These requirements will have a significant adverse impact on this industry and its many employees, with no demonstrated positive impact on passenger safety.

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## Appendix E: Canadian Federation of Outfitter Associations' Brief on Boating Regulations (Presented to CMAC, October 2010)



### Brief on Boating Regulations

The Canadian Federation of Outfitter Associations is a federal organization made up of outfitting organizations from across most Canadian provinces, the NWT and the Yukon. The membership represents more than 5,000 hunting and fishing outfitting businesses, which have an economic impact of up to 1 billion dollars.

Changes to the Canada Shipping Act made several years ago greatly broadened the definition of Commercial Vessel. Under the new act, any boat that is operated by an employee, regardless of size, is considered a commercial vessel and new operator qualifications are mandated. In the outdoor tourism industry, the vast majority of vessels are vessels under 8 metres in length, carrying less than 6 passengers, and designed and built to pleasure craft standards.

A large number of vessels, many operated by seasonal businesses in remote areas where specialized courses are unavailable, will be affected by this change. The SVOP course is not readily available in many northern communities where the industry operates, and is also not appropriate to the needs and realistic safety requirements of the industry. The Pleasure Craft Operator Card is a much more appropriate qualification for the industry. Standard first aid qualification is readily available and generally required by provincial regulations, and should be permitted in place of marine first aid training.

Although TC made a small move to mitigate the problem by allowing the Pleasure Craft Operator Card as qualification for operators of small commercial vessels in sheltered waters, this does not apply in non-sheltered waters, where the Small Vessel Operator Proficiency course and marine first aid qualifications are still required.

There is also a requirement for carriage of small vessel life jackets in place of the personal flotation devices currently in use. Many passengers customarily wear PFDs, since many are designed for comfortable wear. Life jackets are not practical for wear except in an emergency, so this move will compromise safety by replacing voluntary wear of PFDs with mandatory carriage of life jackets that are not worn.

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These requirements will have a significant adverse impact on this industry and its many employees, with no demonstrated positive impact on passenger safety. The vessels involved are built to pleasure craft standards and can be legally operated by anyone holding a PCOC or equivalent, such as the dockside checklist. However, when a guide who is familiar with the local waters operates the boat, the much more onerous commercial vessel requirements must be met.

There is no rational safety justification for this requirement, and it will cause either widespread involuntary non-compliance due to the lack of availability of the required course, or it will cause tourist operators to elect not to provide the added safety benefit of guides, since the guests can legally operate the boats themselves.

***The CFOA believes that this issue can be addressed with no compromise to safety, by simply harmonizing the small commercial vessel regulations with the pleasure craft regulations. Operator qualifications, equipment carriage, construction standards, and registration for all vessels under 8 metres should be the same for both pleasure craft and commercial vessels.***

The following changes to regulation are required:

- Extend the use of the PCOC in place of the SVOP to all inland waters, rather than sheltered waters as is now the case, for all commercial vessel under 8 meters carrying 6 passengers or less
- Replace the marine first aid requirement with standard first aid
- Replace the small vessel life jacket requirement with a requirement to carry PFDs

CFOA, October 2010

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