



Marine Safety Information Bulletin

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Compliance with Canadian Marine Personnel Regulations

Transport Canada has recently expressed concern over U.S. documented vessels not complying with Canadian Marine Personnel Regulations for an engineering watch while operating in Canadian waters. The intent of this MSIB is to provide information and awareness on the mandatory Canadian requirements applicable to all U.S. documented vessels (unless otherwise exempted) operating in Canadian waters - with significant impact to towing and small passenger vessels.

In 2007, new Canadian Marine Personnel Regulations established the minimum number and type of personnel needed to safely operate vessels in Canadian waters. These regulations apply to Canadian vessels operating in all waters and *to all vessels, irrespective of registry, operating in Canadian waters*. In respect to U.S. vessels in Canadian waters, enforcement of these regulations will take effect **one year from the date of this Bulletin**.

The Canadian regulations stipulate that an individual on watch must hold a certificate/license appropriate to the class of vessel for the voyages on which the vessel is engaged. Although not required by U.S. regulations, the Canadian regulations require that, irrespective of tonnage or length, the authorized representative of a vessel shall ensure that its crew complement consists of an individual credentialed to be in charge of the vessel's machinery unless the vessel has a propulsive power of less than 750 kW (1000 Hp). Accordingly, all personnel **(including additional engineering personnel employed to comply with the Canadian regulations)** must hold a valid Merchant Mariner Credential issued by the U.S. Although the Canadian Marine Personnel Regulations call for certification in accordance with the International Convention of Standards of Training, Certification and Watchkeeping for Seafarers (STCW), Transport Canada and the U.S. Coast Guard have executed a memorandum of understanding (MOU) for the mutual recognition of personnel licensure and certification applicable to each nation's trading vessels while trading in the domestic waters of either the United States or Canada.

Owners and operators are advised to take the necessary steps to comply with all applicable requirements of the Canadian regulations and should verify that vessels meet applicable manning requirements in advance of voyages and port calls no later than one year from the date of this Bulletin. Specifically, a credentialed/licensed Chief Engineer and, depending on the watch schedule, additional credentialed/licensed Engineer(s) are required. Ensuring compliance is the responsibility of the vessel owner/operator and can go a long way toward avoiding costly delays, detention, or other penalty. You can learn more about the Canadian Marine Personnel Regulations by visiting <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2007-115/>. Additional questions regarding the Canadian Regulations should be directed to Captain Dianne Couture (diane.couture@tc.gc.ca) or CENG Bruno Duguay (Bruno.duguay@tc.gc.ca) at Transport Canada.

The following frequently asked questions/answers pertaining to the Canadian Marine Personnel Regulations have been developed, in consultation with Transport Canada, are also provided for your assistance.

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This release has been issued for public information and notification purposes only.

Frequently Asked Questions – Canadian Marine Personnel Regulations (MPR)
[\(http://laws-lois.justice.gc.ca/eng/regulations/SOR-2007-115/\)](http://laws-lois.justice.gc.ca/eng/regulations/SOR-2007-115/)

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| Q1: | Which U.S.-documented vessels do these Regulations apply to? |
| A1: | <i>Division 4 of the MPR applies to all foreign vessels in Canadian waters, including U.S. vessels. In respect to U.S. vessels in Canadian waters, when enroute to a Canadian port or place, enforcement of these regulations will take effect one year from the date of this Bulletin.</i> |
| Q2: | In particular, what sections of the Canadian Regulations should I be aware of for the crewing of my vessel? |
| A2: | <i>Part 2, Division 4 applies to foreign vessels that are in Canadian waters, including U.S. vessels.</i> |
| Q3: | For the sake of these regulations, how are Canadian waters defined? |
| A3: | <i>For the purpose of Section 200(3) of the MPR, Division 4 would apply to foreign vessels, including U.S. vessels that are in any waters out to the limits of Canada's territorial sea (i.e. 12 nautical miles).</i> |
| Q4: | Do these Regulations apply the same on the East Coast as the West Coast? How about the Great Lakes (aside from any specific regulations pertaining to the St. Lawrence Seaway)? |
| A4: | <i>Yes, Division 4 of MPR includes the Canadian portion of the Great Lakes.</i> |
| Q5: | Are these Regulations applicable to U.S. vessels transiting through Canadian waters from a U.S. port to another U.S. port (e.g. U.S. northwest external passage to Alaska)? |
| A5: | <i>No. However, these Regulations do apply to U.S. vessels in Canadian waters when enroute to a Canadian port or place.</i> |
| Q6: | Who is responsible to assure the vessel is manned according to these Regulations? |
| A6: | <i>The authorized representative (Owner, Operator, or Master) of a vessel shall ensure that its complement consists of at least the minimum complement required by Part 2, Division 4, Section 241.</i> |
| Q7: | Under these Regulations, how many credentialed/licensed engineers are required, per watch? |
| A7: | <i>In accordance with Section 249 of the MPR,</i> <ul style="list-style-type: none"> (1) <i>The chief engineer of a vessel shall ensure, in consultation with the master, that the engineering watch of the vessel consists of;</i> <ul style="list-style-type: none"> (a) <i>in the case of a vessel that has a propulsive power of more than 750 kW, a person in charge of the engineering watch who holds, at a minimum, an Engineer certificate appropriate to the vessel's propulsion type; and</i> (b) <i>an engine-room rating who holds, at a minimum, the equivalent to an</i> |

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| | <p style="text-align: center;"><i>Engine-room Rating certificate.</i></p> <p>(2) <i>Paragraph (1)(b) does not apply if</i></p> <p style="padding-left: 40px;"><i>(a) the machinery essential to the safe operation of the vessel has automatic operational features that, while the machinery is in operation, provide fuel to the machinery and lubricate it from a supply of lubricant that is sufficient to enable the machinery to operate continuously at full load for a period of at least 24 hours; and</i></p> <p style="padding-left: 40px;"><i>(b) the propulsion system of the vessel is remotely controlled from the bridge or the vessel is not maneuvering.</i></p> <p>(3) <i>Subject to section 250, a vessel that is equipped in accordance with the Administration's requirements for periodically unattended machinery spaces may operate with periodically unattended machinery spaces if the remote control and monitoring systems for those spaces are inspected in accordance with the Administration's rules and the inspection certificate contains a notation confirming the inspection.</i></p> <p>Example. <i>On a cargo, towing, or fishing vessel with a propulsive power of more than 750 kW (1000 HP), at a minimum*:</i></p> <p style="padding-left: 40px;"><i>(1) on a short voyage of less than 12 hours in duration with a 1 watch system must consist of 1 credentialed/licensed Chief Engineer.</i></p> <p style="padding-left: 40px;"><i>(2) a vessel with a 2 watch system must consist of 1 credentialed/licensed Chief Engineer and 1 additional credentialed/licensed Engineer.</i></p> <p style="padding-left: 40px;"><i>(3) a vessel with a 3 watch system must consist of 1 credentialed/licensed Chief Engineer and 2 additional credentialed/licensed Engineers.</i></p> <p><i>*Additional factors may require additional personnel.</i></p> |
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| Q8: | Is there any documentation I can present to the Canadian authorities as evidence that my vessel is equipped in accordance with the U.S. requirements with vital system automation for a periodically unattended machinery space (PUMS) and reduced manning? |
| A8: | <i>Yes. Vessels required to have a Certificate of Inspection (COI) should present it as evidence that the vessel has been found in compliance with the requirements for vital system automation, PUMS authorization, and reduced manning. For vessels not required to have a COI, a Safe Manning Document (SMD) or equivalent issued by the U.S. Coast Guard can be presented as objective evidence that the vessel has been found in compliance with the requirements for vital system automation, PUMS authorization, and reduced manning.</i> |

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| Q9: | How can I obtain an SMD, or equivalent, if I currently do not have one? |
| A9: | <i>You may submit an application for a voluntary manning determination to the nearest U.S. Coast Guard Officer in Charge of Marine Inspection (OCMI). The OCMI will review your vessel's service history as well as pertinent documents, and conduct an examination to determine your vessel's suitability for unattended</i> |

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| | <i>machinery status operation and corresponding manning requirements for its intended voyage. To receive a SMD or equivalent endorsed for PUMS, operators may present the OCMI with a Certificate of Class appropriately endorsed for unattended machinery status or meet the U.S. requirements (e.g. 46 CFR 62, NVIC 1-78).</i> |
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| Q10: | Which Merchant Mariner credentials (MMC)/licenses authorize service as an engineer? |
| A10: | <p><i>The following licenses and MMC officer endorsements authorize the holder to serve as noted, within any restrictions on the license or MMC:</i></p> <p><i>(a) A designated duty engineer (DDE) license or endorsement authorizes service as chief or assistant engineer on vessels of not more than 500 gross tons in the following manner:</i></p> <p><i>(1) A DDE limited to vessels of not more than 1000 HP (750 kW) or 4000 HP (3000 kW) may serve only on near coastal, Great Lakes, or inland waters;</i></p> <p><i>(2) A DDE with no horsepower limitations may serve on any waters.</i></p> <p><i>(b) A chief engineer (limited-oceans) license or endorsement authorizes service as chief or assistant engineer on vessels of any gross tons on inland waters and of not more than 1600 gross tons on ocean, near coastal, or Great Lakes waters.</i></p> <p><i>(c) A chief engineer (limited-near coastal) license or endorsement authorizes service as chief or assistant engineer on vessels of any gross tons on inland waters and of not more than 1600 gross tons on near coastal or Great Lakes waters.</i></p> <p><i>(d) An assistant engineer (limited-oceans) license or endorsement authorizes service on vessels of any gross tons on inland waters and of not more than 1600 gross tons on ocean, near coastal, or Great Lakes waters.</i></p> |

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| Q11: | What are the sea service requirements for a Designated Duty Engineer (DDE) endorsement? |
| A11: | <p><i>The sea service requirements for DDE of steam and/or motor vessels can be found in Title 46 Code of Federal Regulations (CFR), section 11.524. An applicant for a DDE endorsement must produce discharges or other documentary evidence of service, indicating the name, tonnage, and horsepower of the vessels, dates of service, capacity in which the applicant served, and on what waters. For mariners performing duties both on deck and in the engine room, include an approximation of the percentage of time spent working in each.</i></p> <p><i>The CG considers the following duties to be substantially equivalent to QMED duties: Lubricates gears, shafts, bearings, and other parts of the engine. Read pressure and temperature gauges and record data. Performs routine maintenance and assist with more difficult or complex repairs to machinery. Inspects and</i></p> |

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| | <p><i>maintains towing equipment and deck machinery. Inspects and performs routine maintenance on sanitation system.</i></p> <p><i>Mariners whose duties comprise tasks similar to those listed will be credited with service equivalent to QMED toward a DDE endorsement.</i></p> <p><i>Contact your local Regional Exam Center or the National Maritime Center for additional information; www.uscg.mil/nmc</i></p> |
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| Q12: | Are STCW Endorsements required for crewmembers on U.S. documented vessels operating in Canadian waters? |
| A12: | <i>No. As per the USCG/TC Memorandum of Understanding on mariner credentials.</i> |

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| Q13: | When will Canada start enforcing these Regulations on U.S. vessels in Canadian waters? |
| A13: | <i>Currently in force as of July 2007. However, in respect to U.S. vessels in Canadian waters, when enroute to a Canadian port or place, enforcement of these regulations will take effect <u>one year from the date of this Bulletin.</u></i> |

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| Q14: | What are the penalties if a U.S. vessel is found in violation of these Regulations? |
| A14: | <i>Penalties for not having a licensed engineer could range from \$1250 (CAD) up to a maximum of \$25,000 (CAD) and/or a detention under CSA2001.</i> |