

# PACIFIC PILOTAGE AUTHORITY

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## NOTICE TO INDUSTRY

- Date Issued:** 12 June 2020 **Notice Number:** 07/2020
- Subject:** Pilotage Act & its Associated Regulations – Violations & Enforcement
- Geographic Area:** Compulsory Pilotage Waters of British Columbia including the Fraser River
- Communication:** The review of the *Pilotage Act* is part of the Government of Canada’s *Oceans Protection Plan*, a national strategy to create a world-leading marine safety system. The review of the *Pilotage Act* has been completed and amendments to the *Pilotage Act* received Royal Assent on June 21, 2019. The implementation phases of the legislative and regulatory framework are currently in progress.
- Application:** The *Pacific Pilotage Regulations* are applicable to every ship over 350 gross tons that is not a pleasure craft and every pleasure craft over 500 gross tons. If a ship is part of an arrangement of ships, then the combined tonnage of all the ships in the arrangement of ships is taken into consideration in determining whether the ship is subject to compulsory pilotage.

### Details:

Amendments to the *Pilotage Act* are being phased in through order-in-council (OIC) instruments. Specifically, PPA wishes to draw your attention to OIC #2 (see below).

1. The second OIC was registered with the Privy Council Office (PCO) on March 18, 2020. This OIC transfers **enforcement** responsibilities to the Minister of Transport and gives the Minister new powers related to oversight and compliance, including the ability to issue interim orders and ministerial directions. The relevant **enforcement** sections of the *Pilotage Act* may be found at <https://laws-lois.justice.gc.ca/eng/acts/P-14/page-6.html#h-1242613>
2. For ships that are subject to compulsory pilotage, non-compliance with any section of the *Pilotage Act* and its associated regulations, may be deemed as a punishable offence. Examples of non-compliance include transiting in a mandatory pilotage area without a licensed pilot, pilotage certificate holder, or a valid pilotage waiver, not reporting a marine incident, etc. The relevant **offences and punishment** sections of the *Pilotage Act* may be found at <https://laws-lois.justice.gc.ca/eng/acts/P-14/page-10.html#h-394745>
3. If you have any queries about OIC#2, or the implementation of the amendments to the *Pilotage Act*, please direct them to [TCMSSPilotageSSMTC@tc.gc.ca](mailto:TCMSSPilotageSSMTC@tc.gc.ca).

You may also contact PPA at [marineops@ppa.gc.ca](mailto:marineops@ppa.gc.ca) for any queries and/or clarifications.

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