

UNDERSTANDING THE

WRECKED, ABANDONED OR HAZARDOUS VESSELS ACT

WHAT VESSEL AND BOAT OWNERS AND OPERATORS
NEED TO KNOW



WHAT IS THE WRECKED, ABANDONED OR HAZARDOUS VESSELS ACT?

It is a key measure to protect Canada's waterways and marine ecosystem, under the Government of Canada's \$1.5 billion Oceans Protection Plan.

The Act governs wrecked, abandoned and hazardous vessels (including small boats and commercial vessels) and brings the *Nairobi International Convention on the Removal of Wrecks, 2007* into Canadian law. Most importantly, the Act will strengthen vessel owner responsibility and liability; address irresponsible vessel management, including a prohibition on vessel abandonment; and enhance federal powers to take proactive action on hazardous vessels.

DID YOU KNOW?

The *Wrecked, Abandoned or Hazardous Vessels Act* applies to Canadian and foreign vessels (including small boats and commercial vessels) located in Canadian waters. In the Exclusive Economic Zone, the Act only applies to Canadian vessels and vessels from countries that are party to the *Nairobi International Convention on the Removal of Wrecks, 2007*.

ILLEGAL PRACTICES UNDER THE ACT

Under the Act, you may not:

1. Abandon your unwanted vessel.
2. Cause your vessel to become a wreck because you fail to maintain it.
3. Sink, strand or ground your vessel on purpose.
4. Without being authorized, leave your vessel in poor condition in the same area (within a radius of three nautical miles) for more than 60 days.
5. Leave your vessel adrift for more than 48 hours without taking measures to secure it.

HOW TO BE A RESPONSIBLE VESSEL (OR BOAT) OWNER

1. Keep your vessel in good condition.
2. Plan ahead – Think about your vessel's retirement plan.
3. When your vessel reaches the end of its life, recycle or dispose of it legally and responsibly.
4. If you own and operate a vessel over 300 gross tonnage in Canadian waters, you must carry insurance or other financial security to cover potential wreck removal costs.
5. If you own or operate a vessel involved in an incident that resulted in a wreck, you must report, locate, mark and, if necessary, remediate any hazards including, if required, removing the wreck.
6. Ensure that your vessel (or boat) is licensed or registered. If you sell it make sure to transfer the ownership documentation properly.

DID YOU KNOW?

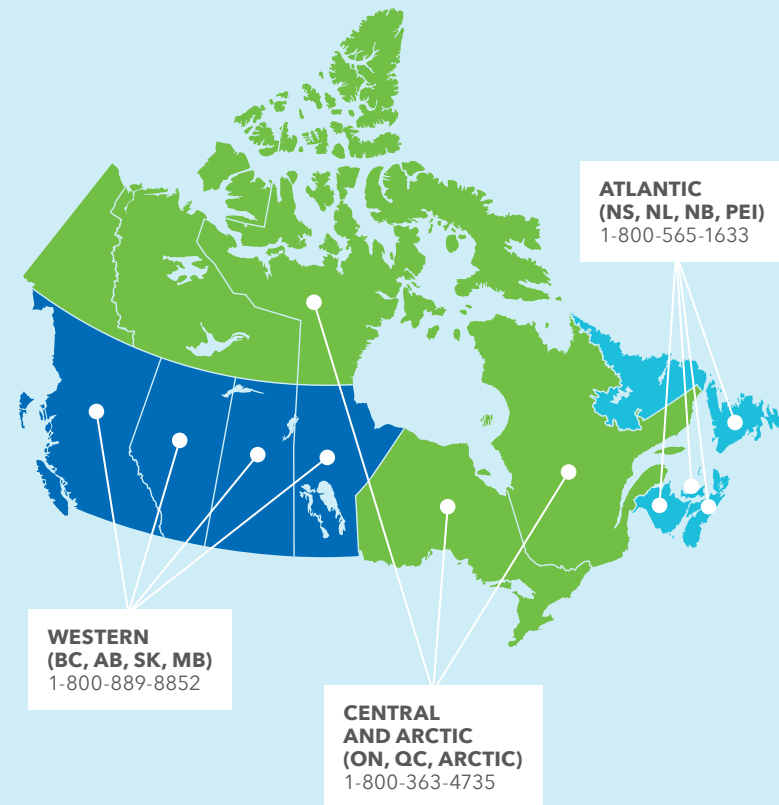
Your vessel's (or boat's) end of life can be when:

- it is no longer capable of navigating safely on water;
- you no longer want to own or operate it;
- maintenance and mooring costs far exceed your financial means; or
- the costs of repair exceed its value.



FOUND A WRECKED, ABANDONED OR HAZARDOUS VESSEL?

REPORT IT TO THE CANADIAN COAST GUARD,
AVAILABLE 24/7.



WHAT THE GOVERNMENT OF CANADA IS AUTHORIZED TO DO UNDER THE ACT

1. Order owners of vessels or wrecks to take measures to prevent, reduce or eliminate hazards.
2. Take action to remove a vessel or wreck posing a hazard, if the owner is unknown, or is unable or unwilling to respond.
3. Order the owner to address their dilapidated (worn down) vessel if it remained in the same location for 60 consecutive days without consent.
4. Hold the owner liable for the costs of moving or removing their vessel that is abandoned, dilapidated (worn-down), or that poses or may pose a hazard.

PENALTIES FOR NON-COMPLIANCE UNDER THE ACT

- Maximum violation penalties range between \$5,000 to \$50,000 for individuals, and \$25,000 to \$250,000 for companies or corporations.
- Conviction of a regulatory offence by way of prosecution could result in a maximum fine of up to \$6 million and/or prison terms.

TRANSPORT CANADA'S RECEIVER OF WRECK

DID YOU KNOW?

A Receiver of Wreck (ROW) is a Transport Canada official. The ROW acts as a custodian of a found wreck in the absence of the rightful owner.

If you find a wreck and you can't locate the owner, you must report it to a ROW.

If you are importing or towing a wreck into Canada, you must report it to a ROW.

You can't take possession of a wreck unless:

- The wreck is in danger and you need to take possession to secure or otherwise protect it; or
- The ROW authorizes you to take possession.

If you are the owner of a reported wreck, you'll need to submit a claim to the ROW. You must do this within 30 days of the public notice reporting the wreck.

DO YOU WANT TO CLAIM OR TAKE POSSESSION OF A FOUND WRECK?

CONTACT YOUR RECEIVER OF WRECK

Pacific Region (BC): 604-775-8867

Prairie and Northern Region (AB, SK, MB, Arctic):
780-495-8215

Ontario Region: 519-383-1863

Quebec Region: 877-646-6420

Atlantic Region (NS, NL, NB, PEI): 506-851-3113

National Capital Region: 613-991-3476

For more information on the *Wrecked, Abandoned or Hazardous Vessels Act*: www.tc.gc.ca/abandonedboats