

### 3 Requirements Related to the Protection of Aids to Navigation

#### CANADA SHIPPING ACT, 2001

##### PART 5, Section 129

##### Obligation to report damage

- 129 (1)** If a vessel, or anything towed by a vessel, runs down, moves, damages or destroys an aid to navigation in Canadian waters, the person in charge of the vessel shall, without delay, make a report to a marine communications and traffic services officer or, if that is not feasible, to an officer of the Canadian Coast Guard.

##### Obligation to report — navigation hazard

- (2)** A person in charge of a vessel in Canadian waters who discovers an uncharted hazard to navigation, or discovers that an aid to navigation is missing, out of position or malfunctioning, shall make a report without delay to a marine communications and traffic services officer or, if that is not feasible, to an officer of the Canadian Coast Guard.

**Reference:** <http://laws-lois.justice.gc.ca/eng/acts/C-10.15/page-16.html>

#### CRIMINAL CODE

Section 439 of the *Criminal Code of Canada* provides:

- 439 (1)** Every one who makes fast a vessel or boat to a signal, buoy or other sea-mark that is used for purposes of navigation is guilty of an offence punishable on summary conviction.
- (2)** Every one who wilfully alters, removes or conceals a signal, buoy or other sea-mark that is used for purposes of navigation is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

**Reference:** <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-92.html>

Authority: Justice Laws Canada  
Transport Canada  
Canadian Coast Guard  
Canada Shipping Act, 2001  
<http://laws-lois.justice.gc.ca/eng/acts/C-10.15/FullText.html>