

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: [Canada Shipping Act, 2001](#)

CRIMINAL CODE

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

Interfering with marine signal, etc.

439 (1) Everyone 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.

Idem

(2) Every person who intentionally alters, removes or conceals a signal, buoy or other sea-mark that is used for purposes of navigation is guilty of

(a) an indictable offence and liable to imprisonment for a term of not more than 10 years; or

(b) an offence punishable on summary conviction.

Reference: [Criminal Code \(R.S.C., 1985, c. C-46\)](#)

Authority: Justice Laws Canada
Transport Canada
Canadian Coast Guard
[Canada Shipping Act, 2001](#)