



# BOATING SAFETY NOTICE

## The Contraventions Act in British Columbia

The *Contraventions Act* is a federal statute that establishes a simplified procedure for prosecuting certain federal offences. The Act provides that an enforcement officer may prosecute an offender by issuing a violation ticket (similar to a provincial traffic ticket) instead of requiring them to attend a mandatory court appearance.

Almost 300 federal offences relating to pleasure craft are designated as ticketable offences under the *Contraventions Act*. These offences can be found in the *Small Vessel Regulations*, *Collision Regulations*, *Boating Restriction Regulations*, *Private Buoy Regulations*, *Competency of Operators of Pleasure Craft Regulations*, and the *Navigable Waters Protection Act*. Fines for typical boating offences range from \$100.<sup>00</sup> to \$250.<sup>00</sup>

In June 2004 the governments of Canada and British Columbia signed an agreement to implement the *Contraventions Act* in British Columbia. The agreement is expected to come into force in the Spring of 2005.

By allowing enforcement officers to issue tickets to offenders under a provincial ticketing scheme the *Contraventions Act* gives them a simpler tool for enforcing the law; offenders are treated in a manner that is more appropriate to the seriousness of the violation, and the time of the courts is saved for more serious prosecutions.

Implementation of the *Contraventions Act* will give enforcement agencies in British Columbia the same tools that are available to enforcement officers in Manitoba, Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island. Anecdotal evidence indicates that in the six provinces where the *Contraventions Act* has been implemented there has been a substantial improvement overall in the level of compliance and consequently, boater safety.

### Some typical boating offences:

▪ operating a power-driven vessel without a muffler	\$100
▪ fail to carry personal flotation devices, lifejackets or other safety equipment	\$200
▪ operating a vessel in a careless manner, without due care and attention or without reasonable consideration for other persons	\$100
▪ failure to operate gasoline engine blower for a period not less than 4 minutes	\$100
▪ fuelling-- knowingly allow leakage of fuel within or from a small vessel	\$100
▪ operating a power-driven pleasure craft less than 4 meters without a Pleasure Craft Operator Card or equivalent	\$250
▪ allowing a person under 16 years of age to operate a personal watercraft	\$250
▪ speeding	\$100

For more information on federal Contraventions and their applicable fines, check on-line at <http://laws.justice.gc.ca/en/index.html>.

From the list of "Frequently Accessed Statutes", click on "Contraventions Act". Scroll down to "Related Regulations" and click on "Contraventions Regulations."

