

### 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)** 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.
- Marginal note: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](#)