SOCIÉTÉ PORTUAIRE DU BAS-SAINT-LAURENT ET DE LA GASPÉSIE

Port Regulations

This document is a translation of the original French version. In the event of any discrepancies, the French version will prevail.

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Foreword

The **Société portuaire du Bas-Saint-Laurent et de la Gaspésie (SPBSG)** is mandated by the Government of Quebec to operate, maintain and manage port infrastructure at the ports of Gros-Cacouna, Rimouski, Matane and Gaspé.

These port regulations aim to ensure safety, navigational efficiency and protect the environment in all SPBSG ports.

Vision

The SPBSG's vision is shaped by the Government of Quebec's maritime strategy, *Advantage St. Lawrence*, and **strives to contribute to the economic growth and sustainable development** of the ports of Gros-Cacouna, Rimouski, Matane and Gaspé, tapping into their ability to work together and for each other.

Raison d'être: Developing to open up a world of opportunities.

Ports contribute to the socio-economic wealth of a region and connect businesses to the rest of the world.

Values

- **Safety** for port users and our neighbouring communities
- **A commitment** to helping each port thrive
- **Respect** for users, partners, employees, coastal communities and ecosystems

More information about the SPBSG and our four (4) ports is available on our website: www.spbsg.com.

1 SCOPE

The SPBSG's port regulations must be upheld by all corporate entities and their representatives, all crew members, and any individuals using port facilities at the ports of Gros-Cacouna, Rimouski, Matane and Gaspé, or who find themselves within SPBSG waters. During their presence on SPBSG premises, individuals and corporate entities must comply with the various municipal, provincial and federal laws and regulations in effect.

1.1 Definitions

1.1.1 Harbour

A natural coastal port, more or less enclosed, offering a safe haven at all times for moored boats.

1.1.2 Port facilities

All facilities and land- and water-based equipment required for the operation of the port. In particular, the wharves, causeways, breakwaters, terminals, warehouses, access roads and other facilities located in, on or near navigable waters and any land lots adjacent to the port.

1.1.3 Port

All navigable waters, buildings and equipment under the jurisdiction of the SPBSG.

1.1.4 Wharf

A section of bank, shore or shoreline of the port or other navigable waterway, developed for the purpose of berthing vessels, embarking and disembarking passengers, or loading and unloading goods.

1.2 Harbour Master's Authority

The harbour master is responsible for managing port operations and applying port regulations. They share their instructions directly with users by telephone, in writing or electronically. In exceptional circumstances, said instructions may be shared through a Canadian Coast Guard Marine Communications and Traffic Services centre (MCTS).

The harbour master authorizes the following activities:

- Allocation of berths
- Entry, exit or call to port of vessels
- Refuelling
- Resupplying water
- Storing goods within the port facility
- Diving in navigable waters
- Hot work
- Painting or cleaning vessels
- Sanding
- Installing placards, displays, panels or monitoring devices
- Laying up of a vessel
- Any other request regarding the use of port facilities
- Access to the port facility

1.3 Amendments to Port Regulations

The SPBSG may, at any time and without prior notice, amend port regulations in order to maintain or improve the safety of operations within its four ports.

2 NAVIGATIONAL SAFETY

2.1 Tugboat or Icebreaker Assistance

The harbour master may require a vessel to obtain the services of a tugboat or icebreaker if they deem the conditions unsafe for navigation. The owner of the vessel is responsible for charges relating to the service.

2.2 Vessel Speed Limits

At all times, and in accordance with the Collision Regulations (C.R.C., c. 1416), when within 300 metres of the port, any ongoing work or other vessels, all vessels manoeuvring within the perimeter of the port must do so at a safe speed not exceeding 5 knots.

2.3 Bow Thrusters

To increase safety, vessels measuring over 140 metres must use bow thrusters at all times to facilitate manoeuvres within the perimeter of the port. If the vessel is not equipped with a bow thruster, it must use the services of a tugboat within the harbour.

2.4 Lighting at Night

Gangways must be well lit at night. A net must be placed under the gangway to prevent anything from falling into the water between the wharf and the vessel. Gangways must be monitored at all times, and a lifebuoy with halyard must be placed within close proximity.

2.5 Damages to Infrastructure, Vessels, Individuals and the Environment

Anyone using port facilities does so at their own risk and assumes full responsibility.

The harbour master must be immediately notified of any damages caused to port facilities, infrastructure, individuals or the environment (hereinafter referred to as “damages”).

Those responsible for a vessel which causes or may have caused damages must fully collaborate, without prejudice, in completing an accident report. The report must include, but is not limited to, the vessel’s ID, the circumstances of the accident, the names of any witnesses and the extent of the damages. The vessel’s insurer must be **immediately** informed of the accident. The insurer must, **within 24 working hours**, provide the port authority with a letter of undertaking, indicating that they pledge to pay the port authorities any sum due in accordance with the final ruling against the vessel regarding the accident.

Vessels which cause or may have caused damages must remain at the wharf until the harbour master has completed the accident report, confirmed the extent of the damages, and received the letter of undertaking from the vessel’s insurer.

Any doubts as to the intention of those responsible for the vessel to uphold these requirements will lead to, in the case of foreign-flagged vessels, the introduction of procedures to seize the vessel, in accordance with the Marine Liability Act (S.C., 2001, c. 6) and the Federal Courts Act (R.S.C., 1985, c. F-7).

The completed accident report must be sent to those responsible for the vessel and the vessel’s insurer, who are responsible for covering the cost of repairs.

3 MARINE SECURITY

The International Ship and Port Facility Security Code (ISPS Code) applies in all SPBSG ports. Each SPBSG port holds a statement of compliance issued by Transport Canada.

If a vessel requests that the harbour master act as a port facility security officer (PFSO), they will be billed for the security measures put in place for the duration of their visit. The rates for this can be found in the SPBSG port tariffs list.

4 VESSEL MOVEMENTS, ANCHORING AND BERTHING

4.1 Berthing Requests

4.1.1 Authorization Request

Vessel owners or representatives who wish to use port facilities must make a request to the harbour master by completing and submitting the pre-arrival and services form. The form is available on the SPBSG portal here: www.spbsg.com. The form must be submitted to the harbour master at least **24 hours before the vessel's planned arrival** for Canadian vessels, and at least **48 hours before its planned arrival** for international vessels.

Vessels which do not file their request within the aforementioned time frame may be refused access to port facilities. A daily update must be sent to the harbour master by email to confirm the vessel's arrival time.

Vessels cannot dock at SPBSG ports without the harbour master's authorization.

4.1.2 Wharf Priority Access

In the event that more than one vessel arrives at the wharf at the same time, the harbour master retains the right to establish priority access. Generally, the first vessel to arrive and be ready to tranship goods has priority.

Notwithstanding the foregoing, vessels transporting passengers (cruise ships, passenger ferries) have priority access to berths.

4.2 Vessel Departure

Vessels leaving the port must submit a duly completed **arrival and departure form** to the harbour master, said form is available on the SPBSG portal here: www.spbsg.com. The form must indicate the date and time of departure and, if the vessel is transporting goods, be accompanied by a bill of lading. The arrival and departure form and the bill of lading, if applicable, must be submitted to the harbour master no later than 72 hours after the vessel's departure. If the arrival and departure form and the bill of lading, if applicable, are submitted after the 72-hour time frame, the vessel will be billed a 25% surcharge in addition to the harbour and berthage fees.

4.3 Berthing Vessels

Vessels berthed at the wharf must take the necessary measures to ensure the safety of the vessel and port facilities. Vessels must plan for a sufficient number of mooring lines to ensure the safety of the vessel, and if equipped with one, use an anchor.

Depending on weather conditions, currents and the load-bearing capacity of the mooring bollards, the harbour master may require the vessel to undertake additional protective measures.

4.4 Anchoring

Some SPBSG ports charge anchoring fees. Said fees are specified in the port tariffs list, which can be consulted here: www.spbsg.com.

4.5 Moving Vessels

The harbour master will allocate a berth to the vessel and may order the vessel to change berths if required. The SPBSG cannot be held liable for any damages resulting from a delay or failure to provide a berth nor from moving a vessel from one berth to another.

4.6 Changing Berths

The harbour master must authorize berth changes. Vessels must make a verbal request to the harbour master to obtain authorization. Vessels must have a large enough crew to safely manoeuvre from one berth to another.

4.7 Shoulder Mooring

Vessels must obtain prior authorization from the harbour master to moor at the shoulder of another vessel. Authorization may be obtained through a verbal request.

Vessels may not tranship goods without the harbour master's authorization.

4.8 Barges

Barges and other crafts without a propulsion engine must be equipped with mooring lines long enough to remain securely moored throughout every tidal stage. The crew must ensure the craft is monitored as follows:

- By carrying out 12-hourly rounds to check moorings and drafts.
- By remaining on-site to monitor the craft at all times if the harbour master so requires in the vent of a storm.
- By providing the harbour master with the contact information of the individuals on duty who may be reached at any time.

4.9 Moving Using Mooring Lines

The harbour master must give their prior authorization for this manoeuvre, subject to the weather conditions and the load-bearing capacity of the mooring bollards. Authorization may be obtained through verbal request.

4.10 Ban on Testing Propulsion Equipment

Testing propulsion equipment is prohibited on berthed vessels.

4.11 Cathodic Protection

The ports of Gaspé, Matane and Rimouski are equipped with a cathodic protection system. The vessel is responsible for taking the appropriate measures to protect itself. The SPBSG cannot be held responsible for damages caused by its cathodic protection system.

5 TRANSHIPPING GOODS

5.1 Dangerous Goods

Vessels must specify on the pre-arrival and services form if they are carrying dangerous goods. The form can be found on the SPBSG portal here: www.spbsg.com.

The harbour master may refuse entry to the port if the vessel is carrying dangerous goods or explosives in the following cases:

- If it presents a danger to safety or the environment
- If the port is not authorized to receive this type of goods

5.2 Transporting Explosives

The Port of Gros Cacouna is the only SPBSG port certified to accept the loading and unloading of explosives.

5.3 Loading and Unloading Goods

The recipient, sender or owner of the goods must inform the harbour master of:

- The name and contact details of the person responsible for loading or unloading the goods
- The planned working hours for the loading and unloading of the goods
- Any incident that may arise during the loading or unloading of the goods, whether or not said incident results in damages

5.4 Transhipping Operational Delays

Vessels that need to amend their planned departure time due to a delay in loading or unloading goods must, as soon as possible, verbally notify the harbour master and indicate the estimated duration of the delay. The vessel must provide the harbour master with an update of its estimated time of departure (ETD) every 24 hours.

5.5 Ongoing Operations

A berthed vessel carrying out ongoing loading or unloading operations may conserve their berth on the condition that they are in continual operation for at least 12 hours per day. If deemed necessary, the harbour master can revoke this right. Notwithstanding the foregoing, passenger vessels always conserve their berth; they do not need to meet the minimum numbers of hours in continual operation.

5.6 Cleaning Port Facilities

All vessels, stevedoring companies and users must clean port facilities to the harbour master's satisfaction, using methods that produce the least amount of dust possible. If the port facilities are not cleaned to the harbour master's satisfaction and the SPBSG has to intervene, cleaning of soiled surfaces will be billed to the concerned party.

5.7 Wharfage Fees

Wharfage fees are applicable for any goods transhipped through SPBSG ports. Said fees are specified in the port tariffs list and can be consulted here: www.spbsg.com.

5.8 Transhipping and Storage Method

Before transhipping or storing goods, all users and stevedoring companies must verbally provide the harbour master with a procedure detailing the planned handling operations, the goods to be handled, and the safety and mitigation measures that will be implemented. The harbour master must accept the procedure before transhipping or storage operations commence.

6 LAND-BASED ACTIVITIES WITHIN THE PREMISES OF THE PORT FACILITY

6.1 Prohibited Activities

The following is strictly prohibited to all:

- Threatening the safety or health of individuals in the port facility
- Obstructing navigation
- Obstructing traffic
- Obstructing or hindering port operations
- Damaging goods, property, buildings and vessels
- Harming the quality of the environment
- Operating a drone within the perimeter of the port, including the navigational basin
- Consuming alcohol and drugs
- Smoking
- Soliciting in any way

6.2 Vehicular Traffic

Anybody driving a vehicle within the port or any port facility must respect the 20 km/h speed limit. Drivers must adopt practices to reduce noise disturbance, including:

- Avoiding the use of back-up signals whenever possible
- Avoiding slamming truck tailgate panels
- Turning off the vehicle engine when the driver is waiting or the vehicle is not in operation
- Reducing any other sources of noise from vehicles or machinery
- Avoiding the use of the engine brake; its use is prohibited

7 ENVIRONMENTAL PROTECTION

7.1 Green Marine Certification

The SPBSG has Green Marine Certification, which is is an environmental certification program for the maritime industry. The SPBSG is committed to improving its environmental performance, targeting challenges such as air quality, water quality, soil quality, and the quality of its relationships with local communities.

7.2 Environmental Commitment

Users must uphold our environmental guidelines, which can be consulted on the SPBSG website here: www.spbsg.com.

7.3 Releasing Contaminants into the Environment

Polluting and contaminating SPBSG property through your activities, spills or by transporting pollutants are strictly prohibited. If SPBSG premises are polluted or contaminated by users or a third party who has been granted access by a user, the user is responsible for promptly implementing operations to limit, confine and clean the pollution/contamination, and is responsible for covering all resulting direct and indirect costs. If the user refuses to carry out the required operations, the SPBSG may carry them out itself, without prior notice and at the user's expense.

7.4 Mandatory Measures to Prevent Pollution

Users refuelling or lubricating vehicles and machinery must do so in a suitably equipped area designed for that purpose or at least 30 metres (100 ft) from bodies of water, and at least 15 metres (50 ft) from ditches or storm sewers. If you are unable to meet these distance requirements, other measures must be implemented to prevent spills and leaks (e.g. watertight covers, retention tanks).

7.5 Refuelling Vessels

Vessels must be constantly monitored by a crew member while being refuelled.

7.6 Oil and Hazardous Liquid Spill Kit

In order to respond promptly and appropriately in the event of a spill, users handling oil or other hazardous liquids within the port facility must, at all times and in strategic locations, have a spill kit containing the necessary equipment.

7.7 Preventing Water Contamination and Dust Dispersal

Users must take measures to prevent water contamination during loading and unloading operations (e.g. using a tarpaulin between the vessel and the wharf when loading/unloading).

When handling or storing dry bulk cargo, users must implement measures to limit the spread of dust (e.g. reducing drop height, using a hopper, quickly covering piles of dry bulk cargo, managing operations depending on the wind, limiting the amount of handling, using dust collectors, etc.).

7.8 Noise Pollution

Users must implement operational practices or take appropriate measures to limit the use or reduce the impact of audible signals, without compromising safety (e.g. using white-noise back-up beepers).

7.9 Paint Work on Vessels

You must have the prior approval of the harbour master to carry out paint work on vessels berthed in the port. You must submit a request using the form available on the SPBSG website (www.spsbg.com) at least five (5) days before commencing work.

Furthermore, you must obtain an authorization or proof of exemption from the Quebec Ministry of the Environment, Fight Against Climate Change, Wildlife and Parks (MELCCFP) issued to the applicant. The authorization or proof of exemption from the MELCCFP must be attached to the authorization request and submitted to the harbour master. The two documents must be submitted together.

7.10 Invasive Aquatic Species

Vessels must follow Transport Canada's Voluntary Guidance for Relevant Authorities on In-Water Cleaning of Vessels in order to prevent the introduction and spread of invasive aquatic species through biofouling. These guidelines can be consulted on the Transport Canada website.

8 SMALL VESSELS

Small, commercial fishing vessels manoeuvring within the perimeter of an SPBSG port must comply with:

- SPBSG port regulations
- Any applicable provisions from legislative texts regarding small vessels, in particular the Small Vessel Regulations as enforced by the **Department of Fisheries and Oceans (DFO).**

The harbour master may impose restrictions regarding the movement, placement and speed of small vessels. In such an event, small, commercial fishing vessels must comply with the restrictions set by the harbour master.

9 TRAINING EXERCISES

Training exercises cannot take place without the prior authorization of the harbour master. The captain or operator may request authorization through their agent or by communicating directly with the harbour master.

When permission for training exercises is granted, the vessel must contact its agent and the Marine Communications and Traffic Services (MCTS) at least one (1) hour prior to the training exercise to inform them that it will commence in the following hour. The vessel must also inform its agent and the MCTS when the exercise has ended.

10 PORT FACILITY CONTACT INFORMATION

PORT OF GROS-CACOUNA

Louis D'Amours, Harbour Master
268 Avenue du Port
Cacouna, Quebec G0L 1G0

418 867-1784 | Cell: 418 868-9920
portgroscacouna@spbsg.com,

PORT OF MATANE

Jean-Pierre Harrison, Harbour Master
1610, rue de Matane-sur-Mer
Matane, Quebec G4W 3M6

418 560-2514 | Cell: 418 560-7152
portmatane@spbsg.com

PORT OF RIMOUSKI

Yannick Isabelle, Harbour Master
2, rue de la Marina
Rimouski, Quebec G5L 7C3

418 722-3011 | Cell: 418 732-1818
portrimouski@spbsg.com

PORT OF GASPÉ

Lise Nadeau, Harbour Master
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