

The attached materials, and the issues covered in the table of contents below, are available in complete form by contacting Darren Williams at the location referred to on the cover page below.

**PRINCIPLES OF MARINE LAW
& THE LIABILITY OF MARINE ENGINEERS**

- FIRST EDITION -

PRESENTED TO:

B.C. Ferries, Swartz Bay
MARINE ENGINEERS

SEPTEMBER 19, 2007
VICTORIA B.C. CANADA

PREPARED AND PRESENTED BY:

Darren Williams BSc. LLb.
Williams & Company, Marine Law
203-468 Belleville Street, Victoria B.C.
www.MarineLaw.ca
Tel: 250-478-9928
Fax: 250-478-9943
Email: dw@MarineLaw.ca

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PREFACE

The information contained in the written material herein and presented at the seminar is not legal advice and should not be relied on as legal advice. It is for information purposes only. If you require legal advice you should consult a lawyer.

AUTHOR'S AND PRESENTOR'S NOTES:

1. These materials and the presentation of them is by no means intended to be a complete version of the law in this area. The law is continually evolving. However, as now is essentially the dawn of the implementation of significantly revised shipping law in Canada (*Canada Shipping Act 2001* implemented as of July 1, 2007), now is a good time to summarize the law in the area.
2. Because the law is continually evolving, the law expressed in this material is subject to change from time to time. Further editions to this material will be produced as the law and legislation evolve further.
3. While this course material is prepared specifically for marine engineers employed by British Columbia Ferry Services Inc., the material presumes that the reader may be engaged as a marine engineer by another employer currently, or at a future time. The information contained herein is intended to be largely transferable to marine engineering work outside of work with BC Ferries.
4. Issues arising in the presentation that are not covered in the materials will be addressed by the author upon request by the engineer.
5. Labour relations issues, particularly issues relating the BC Ferry and Marine Workers' Union and the applicable collective bargaining agreement are strictly avoided in this course.

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Appendix:

Tab A: Administrative Monetary Penalties (TC Information Paper)

Tab B: Transportation Safety Board, Marine Investigation Report M03W0073
(Queen of Surrey fire, May 12, 2003)

Tab C: Transportation Safety Board, Marine Investigation Report M05W0111
(Queen of Oak Bay, June 30, 2005)

COURSE OBJECTIVES:

The primary objectives of this course are to improve the marine engineer's:

- appreciation for various legal liabilities that exist in their everyday work environment in order that they can more effectively identify and avoid them;
- ability to comply with, and work effectively within, the regulatory framework in ways that protects the interests of:
 - passengers,
 - the environment,
 - fellow crew,
 - themselves,
 - their employer, and
 - their vessel,

while promoting work efficiency.

Course Agenda

The course materials provided herein contain more information than will be covered in the day-long seminar. Following is the suggested agenda, subject change as interests require and time permits.

9:00 am – 10:15 am	Introduction to Marine Law and Forms of Liability for Marine Engineers
10:15 am – 10:30 am	Break
	Video materials – Weather Footage
10:30 am – 12:00 am	Sources of Liability & the CSA 2001
12:00 pm – 12:45 pm	Lunch
12:45 pm – 2:15 pm	Oil Pollution Regulations, Migratory Birds
2:15 pm – 2:30 pm	Break
	Video materials – Weather Footage
2:30 pm - 3:30 pm	Confined Spaces and Responding to Unsafe Work Conditions

About the Presenter: G. Darren Williams, BSc. LLb.

Darren Williams is currently a marine lawyer with Williams & Company in Victoria B.C. Mr. Williams was raised on Vancouver Island in a second generation commercial fishing family and started working on vessels as an adolescent. Mr. Williams spent over 1000 days at sea along all portions of the B.C. coast between 1985 and 1997. In 1990 he graduated from Brentwood College and attended the University of Victoria, where he completed a Bachelor of Science with Honours in Psychology in 1996, and a Bachelor of Laws in 2000. Mr. Williams worked as an associate at a Vancouver admiralty law firm and worked for marine underwriters including Lloyds of London. In his third year of call as a marine lawyer Mr. Williams opened Williams and Company in Victoria where he focused his practice on marine law and personal injury. In September of 2007 Mr. Williams is in his seventh year of practice as a marine lawyer and is one of two marine lawyers situated on Vancouver Island.

Mr. Williams has appeared before:

- Provincial, Supreme and Appeal Courts of British Columbia
- Federal Trial and Appeal Courts
- Labour Relations and Employment Standards Board
- Workers Compensation Review and Appeal Board
- National Energy Board

Mr. Williams has been invited to speak and has presented on marine issues to:

- Canadian Institute of Marine Engineers
- Transport Canada, Marine Safety
- Canadian General Standards Board
- The Canadian Institute
- CBC television and radio news shows as a specialist in marine law
- Mutual Marine Insurance Company
- Deep Sea Trawlers Association

Mr. Williams publishes monthly in the area of marine law and has to his credit over 50 works in publications including:

- *Canadian Transportation Law Reporter*
- *Mariner Life*
- *Resource People*
- *Fisherman Life*
- *Pacific Yachting*
- *Northern Aquaculture*
- *Lawyers Weekly*