



# CANADIAN NAVIGABLE WATERS ACT — DESIGNATED CLASS OF MINOR WORKS UNDER THE *MINOR WORKS ORDER*

## Temporary Works

Works that meet the following criteria are designated as minor works:

- a) Work installed exclusively for the construction, placement, alteration, rebuilding, removal, decommission, repair or maintenance of another minor work;
- b) Work not situated in, on, over, under, through or across a navigation channel or, if there is no navigation channel, a navigation route; and
- c) Work that does not occupy more than one-third of the width<sup>i</sup> of the navigable water.

The owner must ensure that temporary works are **removed** upon completion of the construction, placement, alteration, rebuilding, removal, decommission, repair or maintenance of the minor work for which it was installed.

If the construction, placement, alteration, rebuilding, removal, decommission, repair or maintenance of the temporary work disturbs the bed contours of a navigable water to a state that interferes, or may interfere with navigation, the owner must ensure, upon completion of the removal of the work, that the **bed contours of the navigable water** do not and are not likely to interfere with navigation.



## General Requirements

### Prior notifications

At least 48 hours before beginning the construction, placement, alteration, rebuilding, removal or decommissioning of a minor work in, on, over, under, through or across a chartered<sup>ii</sup> navigable water, the owner of the work must, in writing, notify a **Canadian Coast Guard Marine Communications and Traffic Services Centre** of the day on which construction, placement, alteration, rebuilding, removal or decommission of the work is expected to begin. The owner must also notify the **Canadian Hydrographic Service** and the **Canadian Coast Guard Marine Communications and Traffic Services Centre** upon completion.

**During the construction, placement, alteration, rebuilding, removal, decommissioning, repair or maintenance of a minor work, the owner of the work must ensure:**

- a) that vessels can navigate safely through or around the work site or, if navigation is interrupted by any activity related to the construction, placement, alteration, rebuilding, removal, decommission, repair or maintenance of the work, that a suitable means, such as a portage, exists to allow vessels to resume navigation upstream and downstream of the work site;
- b) that the perimeter of the work site is visible from sunset to sunrise and during periods of restricted visibility by the placement of:
  - (i) yellow flashing lights,
  - (ii) cautionary buoys with retro-reflective material, or
  - (iii) cautionary buoys with yellow flashing lights; and
- c) that any cables or pipes that are in, on, over, through or across the navigable water are not left unattended unless:
  - (i) the cable or pipe is lying on the bed of the navigable water, or
  - (ii) the cable meets the requirements of *Overhead Systems*, CAN/CSA C22.3 No. 1, as amended from time to time.

**Buoys referred in the *Minor Works Order* must meet the following criteria:**

- a) The part of the buoy that shows above the surface of the water is at least 15.25 cm wide and at least 30.5 cm high;
- b) The buoy, including the buoy's anchor, is constructed and maintained in a manner and with materials that ensure that it remains in position after the buoy has been anchored; and
- c) The buoy complies with the requirements set out in the section entitled "Floating Aids to Navigation (Buoys)" of TP 968, entitled *Canadian Aids to Navigation System* and published by the Canadian Coast Guard, as amended from time to time.

The official *Minor Works Order* can be viewed at: <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2021-170/>

Contact the Navigation Protection Program (NPP) office in your region with any questions or concerns you may have: <https://tc.canada.ca/en/marine/contact-navigation-protection-program-receiver-wreck>.

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<sup>i</sup> Measurements — Width of navigable water

Unless otherwise indicated, any width of a navigable water referred to in this Order is measured from the ordinary high water mark on one side of the navigable water to the ordinary high water mark on the other side of the navigable water at the site where the minor work is situated.

<sup>ii</sup> Charted navigable water means navigable waters for which nautical charts are produced by the Canadian Hydrographic Service or the National Oceanic and Atmospheric Administration of the United States.