



Causing major community and safety concerns

Minister urged to defer new Transport Canada Regs

May 17, 2023

FOR IMMEDIATE RELEASE

NORTH BAY, ON: As Transport Canada dithers on addressing regulatory issues, thousands of northern communities and businesses are paying a heavy price, some losing their livelihoods while others struggle with exponential cost increases and supply chain insecurities.

Since 2020, Transport Canada has been phasing in new anti-fatigue regulations, the most recent of which was implemented on December 12, 2022 affecting 703 and 704 designated aircraft that primarily provide services to remote communities as well as resource based industries, tourism, emergency services, firefighting, agriculture and more says a Canada-wide Coalition of Northern Air Services and Stakeholders (CNASS).

The new regulations are being phased in at the same time as Canada faces a growing shortage of pilots. Some estimates suggest Canada has hundreds of job vacancies for experienced aviators and the new regulations are compounding those shortages driving many pilots to more lucrative jobs in the US and elsewhere.

“No one is saying we shouldn’t have good safety regulations in place, but what Transport Canada has imposed is a one-size-fits-all solution that just isn’t workable in all sectors, particularly in Canada’s northern and remote communities. Transport Canada failed to adequately consult service providers and stakeholders, and, had they done so, they would have understood that the new regulations are, in fact, creating their own safety concerns,” explains Glenn Priestley, Executive Director of the Northern Air Transport Association (NATA).

The Nishnawbe Aski Nation notes its recent meetings and letters of concern have also failed to initiate meaningful response from Transport Canada.

“The majority of communities across Nishnawbe Aski Nation (NAN) are solely dependent on air travel for access and essential services like policing, social services, and deliveries of medical supplies, building materials, food and drinking water. There are some exemptions, but we are greatly concerned that these new regulations will exacerbate the pilot shortage and put additional strain on those who are already struggling to provide service to our communities. Instead of unilaterally imposing unworkable regulations that will create further hardship for our First Nations, the federal government should be working with us to strengthen vital air service to northern and remote communities.” observes Deputy Grand Chief Victor Linklater.

Helicopter services are also in the same regulatory boat. Helicopter Association of Canada (HAC) President and CEO Trevor Mitchell says, “we’ve been fighting for eight years to be heard by Transport Canada. The fatigue science, as interpreted by Transport Canada, is creating its own safety issues including forced reliance on less experienced pilots.” Further, he notes the regulations are convoluted and the Transportation agency appears incapable of reliably incorporating them into their own process and enforcement protocols.

Laurie Marcil, Executive Director of the Northern Ontario Tourist Outfitters Association observes the impacts of the Federal regulations are significant and far reaching with remote tourism seeing a significant reduction in air services, cancelled or delayed flights, frustrated clientele and ballooning expenses. “This, coming after three years of pandemic restrictions that prevented any revenue generation for remote tourism operators, it’s piling hurt upon hurt”, says Ms. Marcil.

From the perspective of air service operators, Kelly Culhane, of Hawk Air in Ontario, responded to a survey issued by CNASS noting, “The new regulations are forcing us to hire more pilots to do the same job we’ve done safely for years. Hiring any experienced pilot is a challenge to say the least. We’ve been looking for over six months with no luck, and the reality is that we’ve had to reduce the number of flights and shut down services entirely for a day every week.”

The same problems are plaguing service providers across Canada and affecting mining and exploration companies like Saskatchewan based, Cameco Corporation. Cameco’s aviation service providers move rotational workers, supplies and professional service vendors into remote sites.

In an effort to address the growing number of concerns, both NATA and HAC have been working with internationally recognized sleep and fatigue experts with numerous proposals and solutions submitted to Transport Canada. To date, those challenges remain unaddressed, adds Mr. Priestley.

Given the northern air services season opened May 1, CNASS -- representing national associations and members from BC, Alberta, Northwest Territories, Saskatchewan, Manitoba, Ontario, Quebec and Newfoundland Labrador -- wrote Minister of Transport Omar Alghabra, Indigenous Services Minister Patty Hajdu on May 1 requesting an urgent and immediate need to defer or exempt northern air services from the new regs. To date, the coalition has not had a response from any of the government agencies, nor has the request to meet garnered a response.

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Attached is a brief overview of the recommendation and main regulatory issues. For more information please contact:

Don Lamont, Executive Director



705-499-7556

laurie@noto.net

Mark Holmes, Government Relations & Advisory Services



647-588-9707

The CNASS recommendation: Until more fulsome consultation can be completed with the northern air services sector, northern communities, industry and business, that Transport Canada *immediately* defer or exempt 703/704 designated air services from duty time regulatory changes imposed December 12, 2022.

- provide Transport Canada time to more fulsomely assess the impacts of the regulations,
- allow the Ministry time to appropriately consult the northern air services sector and stakeholders on the impacts of regulatory changes,
- provide opportunities to explore options to better achieve safety objectives.

The impacts of the new duty time regulations include, but are not limited to:

- northern communities (Indigenous and non-indigenous) that depend on air services for food, fuel, building materials, medical transport, energy, judicial processes, access to social services, etc.
- northern tourism sector, specifically remote fly in lodges and camps.
- the mining, forestry, energy and agricultural sectors.
- fire and rescue and environmental science sectors.

The effect of the new duty time regulations is exacerbating already critical pilot shortages and causing:

- vastly reduced availability of air services limiting essential transport of people, goods and services to remote communities and facilities.
- reduced safety and wellbeing of pilots and passengers.
- very significant cost increases to operators of air services that will have to be absorbed by clients and communities requiring northern air services.
- exposing operators to penalties for non-compliance with regulations that are convoluted and unclear.
- further exacerbation of pilot shortages currently in the field and entering training programs.

All of these challenges are compounding the severe toll that three years of pandemic related restrictions, inflation and supply chain issues have put on the northern air services industry and those heavily reliant on air transport.

Members of the Coalition of Northern Air Services and Stakeholders:



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