



Coalition of Northern Air Services & Stakeholders

## Silence from the federal government as:

# Transport Canada Regs causing inequity in the north

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FOR IMMEDIATE RELEASE

**NORTH BAY, ON:** As Northern Canada struggles with historic level wildfires, soaring costs and declining services for even the most basic necessities, Transport Canada continues to reject industry and community appeals to address regulatory issues affecting essential and emergency services for hundreds of northern communities and businesses.

Numerous warnings have gone unheeded by Transport Canada that, on December 12, 2022, imposed the new regulations on the majority of aircraft operating in northern and remote Canada. Other air service sectors have been wrestling with the new anti fatigue regulations impacting the flying time and duration of flights. The anti-fatigue duty time regulations being phased in since 2020 have generated well documented chaos among major air carriers, airports and, ultimately, passengers and those depending on critical air transport of goods, services and people.

In just the past month, news articles have reported on challenges flying firefighting crews to battle unprecedented forest fires in northern forests from BC to the Maritimes. Other news reports cite emergency services to Grand Manan Island off the coast of New Brunswick being cancelled largely as a result of the new Transport Canada regulations. Numerous pleas from Northern Communities, the Nishnawbi-Aski First Nation and Ontario MPP Sol Mamakwa have also generated little or no response from Transport Canada.

“Quite simply, the regulations designed for the large air carriers in the south just don’t work in northern and remote areas and are having a reverse effect on public safety, notes Corey Nygaard, Manager of the Prince Alberta Airport in Saskatchewan and Vice Chair of the Regional Community Airports of Canada.

With Canada already facing an estimated pilot shortage of 30 percent, the new regulations are forcing air carriers at every provincial community airport to hire additional pilots that just aren’t available. The domino effect is reduced or cancelled flights, reduction in local/regional economic activity and resultant loss of jobs, explains Mr. Nygaard.

Tourism in every province and territory of Canada is also being affected along with the thousands of people who earn their livelihoods in that sector. “We have been hammered by the pandemic, slammed by increased costs and now these regulations are hitting what is left of our northern and remote tourism sectors,” notes Manitoba Lodges and Outfitters Association Executive Director, Don Lamont.

Mining has also been significantly affected in getting essential workers equipment and supplies to remote operations.

“We are hearing directly from mining companies and the air services that support them,” notes CNASS spokesperson Laurie Marcil who observes that over a 28-year period, Transport Canada’s own data shows there were only 34 fatigue related incidents and most, if not all, were not related to duty times but rather the hours before the pilot arrived for work.

“No one is saying “no” to good and workable safety regulations, but even TC’s own data shows that fatigue related incidents were declining year over year well before the new regulations came into effect. Surely there must be some room to amend the regulation for northern and remote air services,” adds Ms. Marcil

Also affected are the agriculture, wildlife management, forestry sectors and natural resources, energy and exploration sectors.

The Canadian Federation of Independent Business (CFIB) is also taking an interest in the issues with the regulations as they are impacting many of their members as well. "These regulations are increasing the need and demand for qualified pilots, which are already in short supply, resulting in grounded fleets," said Jasmin Gu nette, Vice-President of National Affairs. "We encourage the Minister of Transportation to consult with small Canadian air operators who have a lot to say about the impacts these regulations are having on their operations and the communities they serve."

On behalf of their respective members, the Northern Air Transport Association (NATA) and Helicopter Association of Canada (HAC) have been attempting to provide solutions to Transport for over four years. Both industry representatives note a distinct lack of consultation and understanding by the regulating agency and that unacceptable shortcuts were taken in the implementation of the regulations, leaving both the industry and Transport Canada inspectors confused and uncertain on how to administer -- let alone adapt to -- the changes.

“So far, Transport Canada appears unwilling to recognize the challenges that have been created, nor does there appear to be any consideration for the workable alternatives supported by current unbiased fatigue science that are being put forward. The department hasn’t even followed its own compliance directives, and, unless changes are forthcoming, the struggle for industry and the Canadians that depend on its services is only going to get worse for everyone,” concludes President and CEO of Helicopter Association of Canada, Trevor Mitchell.

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The Coalition of Northern Air Services and Stakeholders (CNASS) was formed in March 2023 to jointly bring concerns to the attention of Transport Canada and offer constructive advice from both the air services and stakeholder perspectives. CNASS supports the interests of national air services associations, operators, over 280 northern and remote communities and multiple business sectors including tourism, mining, agriculture, forestry, wildlife management, energy and municipal airports.

Additional briefing material is included below, and, for more information, please contact:

Laurie Marcil,  
Executive Director



705-499-7556

[laurie@noto.net](mailto:laurie@noto.net)

Trevor Mitchell,  
Executive Director



613-880-4354

[trevor@h-a-c.ca](mailto:trevor@h-a-c.ca)

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 outposts.
- 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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Saskatchewan Aviation Council

