

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, kidney stones, geographical limitations
FILE NO.	MA-0508-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Fisherman
DIAGNOSIS (Primary, Secondary, etc.)	Kidney stones
REVIEW	
DATE OF DETERMINATION	February 18, 2019
MEMBER	Dr. Christopher Brooks
DETERMINATION	The matter is referred back to the Minister for reconsideration.
REASONS FOR THE DETERMINATION	Refusal to issue a marine medical certificate (MMC) without limitations — The applicant has been a fisherman his entire professional life. He was initially issued an unlimited MMC, but following further marine medical examination reports and additional medical information relating to the existence of kidney stones, a Near Coastal Voyage Class 2 (NC-II) restriction was placed on his MMC. The applicant is requesting that he be allowed to fish up to 150 nautical miles offshore which would allow him a better opportunity of employment in the fishing industry. Based on the evidence, even though the relevant guidelines and regulations have been applied by the Minister of Transport, the member concludes that Transport Canada has not looked specifically at the applicant's case and given due consideration to the consequences of placing an NC-II restriction on his MMC. The matter is referred back to the Minister for reconsideration.
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	