

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, alcohol abuse, drug abuse, restrictions
FILE NO.	MO-0548-21
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Navigation officer
DIAGNOSIS (Primary, Secondary, etc.)	Alcohol and drug abuse
REVIEW	
DATE OF DETERMINATION	April 20, 2020
MEMBER	Dr. Christopher Brooks
DETERMINATION	The member refers the matter back to the Minister for reconsideration of its decision.
REASONS FOR THE DETERMINATION	<p>Refusal to issue a marine medical certificate (MMC) — Due to his previous substance issues, the applicant agrees that there was a need to initially deny and then limit his MMC to “no watchkeeping” and “no lookout duties”. However, the member can give no weight to the Minister of Transport’s argument that this should be prolonged any further. The Minister did not provide any justification for the continuation of the restrictions. The Transport Canada (TC) policy which insisted that a physician with experience in the treatment of alcohol and drug addiction be involved not only was never applied, but the policy was suddenly abandoned half way through the period under which the applicant’s case has been pending, and a lower standard was instead applied. The severe limitations meant that for medical reasons, the applicant could no longer continue his chosen career; it was done in an impersonal way and not a single piece of correspondence relaying the information was signed off by a physician or anyone with medical training. For these reasons, the member determines that his case needs a thorough review by TC. The member refers the matter back to the Minister for reconsideration of its decision to issue to the applicant an MMC every three months, over a two-year period, with the limitations of “no watchkeeping” and “no lookout” duties.</p>
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	