



**Proposed Safety Management Regulations for
Canadian Vessels**
Québec Standing Committee on Fishing Vessel Safety
February 16, 2012



RDIMS 6609171

Overview

- Provide an update on the proposed Safety Management Regulations
- The objectives of the presentation are to:
 1. Update on the proposed Safety Management Regulations following 2011 consultations;
 2. Outline the proposed SMS requirements and certification; and
 3. Obtain stakeholder feedback.



Background - Safety

- Objectives of the Canada Shipping Act, 2001 and proposed regulations:
 - Promote safety;
 - Protect the marine environment;
 - Protect the health and well-being of individuals; and
 - Promote an efficient marine transportation system.
- Reduce the number of marine related accidents, incidents and fatalities.
- Further implement a Transport Canada priority.
- Implement recommendations of the Transportation Safety Board.



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Background - SMS

- Transport Canada promotes the implementation of Safety Management Systems in all modes.
- Internationally, SMS is currently required by regulation for vessels subject to the SOLAS Convention (ISM Code).
- In the Canadian marine industry, there are a number of operators that are statutorily required to comply with the ISM Code.
- In the domestic fleet, some operators have voluntarily implemented an SMS pursuant to the ISM Code.
- Consultations on the proposed regulations were conducted in the Fall 2010 and Spring and Fall 2011.



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Safety Management Regulations Objectives

- Amend the existing Safety Management Regulations to apply to a larger sector of the Canadian fleet.
- Proposed regulations will implement the requirements of the ISM Code.
- Amending the regulations would:
 - Ensure continued compliance with international obligations, standards and practices;
 - Increase effective management of safety;
 - Improve the focus of safety activities on identifiable risks, performance and results; and
 - Improve the safety culture in the Canadian domestic fleet.



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Proposed Approach

- The proposed safety management regulations consist of one set of SMS requirements – ISM Code.
- The proposed regulations apply to companies and vessels categorized in three groups – Tier I, Tier II, and Tier III.
- SMS certification applies to companies and vessels in Tier I and Tier II.



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SMS Requirements

1. General (Objectives)
2. Safety and Environmental Protection Policy
3. Company Responsibilities and Authority
4. Designated Person
5. Master's Responsibilities and Authority
6. Resources and Personnel
7. Shipboard Operations
8. Emergency Preparedness
9. Report and Analysis of Non-Conformities, Accidents and Hazardous Occurrences
10. Maintenance of the Ship and Equipment
11. Documentation
12. Company Verification, Review and Evaluation



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Proposed Application of SMS Requirements

<u>Tier I</u> Canadian vessels subject to Chapter IX of the International Convention for the Safety of Life at Sea (SOLAS)
Passenger ships, including passenger high-speed craft, not later than 1 July 1998
Oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high-speed craft of 500 gross tonnage and upwards, not later than 1 July 1998
Other cargo vessels and mobile offshore drilling units of 500 gross tonnage and upwards, not later than 1 July 2002
<u>Tier II</u> The second tier applies in respect of the following vessels that are not subject to the SOLAS Convention Chapter IX
A vessel of 500 gross tonnage and upwards
A vessel that is certified to carry more than 50 passengers
<u>Tier III</u> The third tier applies in respect of the following vessels that are not subject to the SOLAS Convention Chapter IX
A vessel that is 24 meters or more in length and less than 500 gross tonnage (excluding vessels certified to carry more than 50 passengers).



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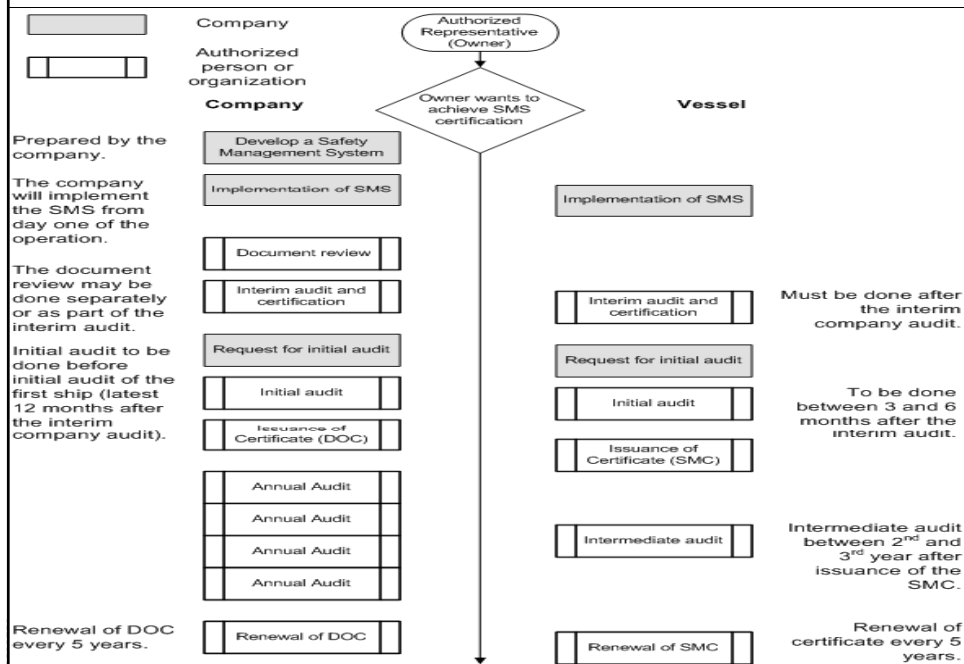
SMS Certification Process

- Companies and vessels in Tier I and Tier II are required to have their SMS audited and certified.
- The SMS audit and certification process consists of the following requirements:
 1. Develop and Implement a safety management system.
 2. Document Review by RO.
 3. Interim audit and certification of Company and vessels.
 4. Initial audit and issuance of DOC and SMCs (to be completed between 3 and 6 months after the interim audit).
 - A DOC annual audit is conducted each year (4) between the initial and renewal audit
 - An intermediate SMC audit is conducted between the 2nd and 3rd year after the issuance of the SMC.
 5. Renewal of DOC and SMCs every 5 years.



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Certification Flow Chart



SMS Certification - Key Elements

- The Authorized Representative (AR) in Tier I or II shall have its SMS audited and certified by a classification society or organization that is authorized by the Minister of Transport.
- SMS has its own certification scheme:
 - Document of Compliance (DoC) for a Company
 - Safety Management Certificate (SMC) for each vessel
- The Document of Compliance is directly linked to each vessel's Safety Management Certificate (SMC).
- If an AR does not fulfill the requirements of the safety management regulations it will not be issued a DOC. An invalid DOC removes the validity of all SMCs, which means that all applicable vessels cannot operate.
- The AR shall ensure that its DOC and SMCs are valid at all times.



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SMS Facts

1. SMS regulations **will not** remove the requirement for a vessel to be inspected and carry Canadian Maritime Documents (certificates).
2. SMS is an independent safety requirement
 - It **does not** replace safety requirement under any other regulation.
3. Compliance with the Safety Management Regulations could be verified through the SMS audits (DoC / SMC) and vessel inspections.



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Benefits of a Safety Management Approach

- Reduction in the likelihood of incidents and accidents and associated costs.
- Facilitates industry's ability to comply with regulations and other requirements, which would improve safety performance.
- Creates a standardized and consistent safety regime.
- Enhances risk management and information sharing.
- Allows for flexibility and innovation: companies can develop safety management systems that reflect their specific operations.



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Next Steps

- In 2012, Marine Safety will continue to conduct consultation with industry stakeholders through CMAC and other venues.
- Transport Canada will develop SMS guidance material to build awareness and assist operators in the development of their own systems.
- Marine Safety welcomes industry to participate and to provide comments and feedback as it consults on the proposed *Safety Management Regulations*.
- In Fall 2012, develop drafting instructions for regulations and other mandatory instruments.



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Questions?

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Small Vessel Compliance Program (SVCP)

Québec Standing Committee on Fishing Vessel Safety

February 16, 2012



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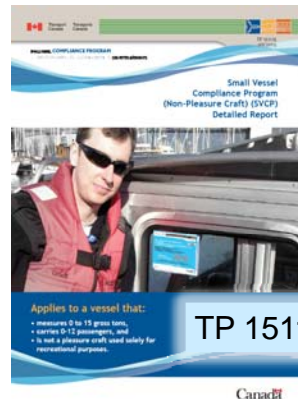
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SMALL VESSEL COMPLIANCE PROGRAM

Launched nationally June 2 2011



www.tc.gc.ca/svcp-pcpcb



TP 15111

SMALL VESSEL COMPLIANCE PROGRAM (NON-PLEASURE CRAFT)

Objective	<ul style="list-style-type: none"> To enhance safety in the small vessel community
Strategy	<ul style="list-style-type: none"> Provide guidance and easy-to-use tools for small vessel owners/operators Help small vessel owners/operators understand and meet all of their obligations under the <i>Canada Shipping Act, 2001</i> Monitor the compliance of small vessel operations
Open to vessels that	<ul style="list-style-type: none"> Measure 0-15 GT Carry 0-12 passengers Are not pleasure craft

Note: Although the SVCP is not currently available for fishing vessels, work has begun to develop a similar approach for the fishing vessel community

SVCP PROCESS

- Every five years, the owner/operator of a small non-pleasure vessel completes a Detailed Compliance Report (TP 15111) and sends it to Transport Canada



- If the report is properly completed, the owner/operator will be sent a Blue Decal to display on board their boat
- Every year, the owner/operator completes an Annual Compliance Report and keeps these reports in their records

*Small non-pleasure vessels may be inspected at any time by Transport Canada



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BENEFITS OF THE SVCP APPROACH

Consolidates regulatory requirements in an easy-to-use tool

Helps operators maintain continual compliance

Aims to improve the overall safety of enrolled vessels and to minimize the likelihood of incidents and accidents



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MOVING FORWARD (SHORT TERM)

Priority for Fall/Winter/Spring 2011-2012:

- ✓ Conduct regional outreach on SVCP
- ✓ Prepare and conduct evaluation activities
 - National evaluation of program delivery quality
 - First Annual Evaluation Report to be drafted for discussion in Spring 2012
- ✓ Develop service standards

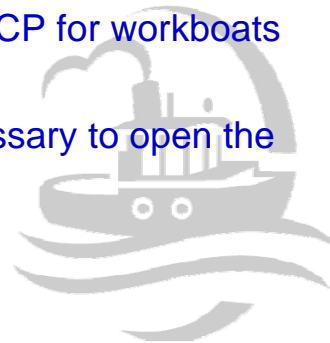


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MOVING FORWARD (SHORT TERM)

Priorities for 2012 Boating Season:

- ✓ Continue to improve the SVCP for workboats and passenger vessels
- ✓ Develop the additions necessary to open the program to tugs 0-15GT

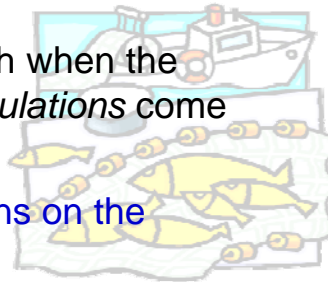


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MOVING FORWARD (LONGER TERM)

Priorities:

- ✓ Develop a strategy for the extension/modification of the SVCP to include small fishing vessels
- ✓ Prepare program for launch when the *Fishing Vessel Safety Regulations* come into force
- ✓ Conduct national consultations on the proposed strategy



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Questions?

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