



Proposed Safety Management Regulations for Canadian Vessels

Canadian Marine Advisory Council
National and Regional Consultation
Spring 2011



Overview

- Provide an update on Marine Safety's proposed Safety Management Regulations
 - The revised approach following the first round of consultation
- The objectives of the presentation are to:
 1. Further advance dialogue on the proposed *Safety Management Regulations*;
 2. Increase understanding of the specific SMS requirements and corresponding certification schemes, and
 3. Obtain stakeholder feedback.



Background

- Transport Canada promotes the implementation of Safety Management Systems in all modes.
- In the Canadian marine industry, SMS is currently required by regulation for vessels subject to the SOLAS Convention (ISM Code).
- In the Canadian domestic fleet, some operators have voluntarily implemented safety management systems (ISM Code).
- Pilot testing the domestic implementation of SMS with the Pacific towboat industry.
- Preliminary consultations conducted in Fall 2010.



Rationale - A Safety Management Approach

- **Context for SMS:**

- Proactive approach to safety
- Enhances safety in areas of higher risk and priority
- Complements existing safety requirements
- Creates a consistent safety standard within the Canadian marine industry
- Strengthens the safety culture



A Common Understanding of SMS

- Definition of a SMS:
 - Formalized method for systematically integrating safety and risk management into the daily operations of a transportation company.
 - Facilitates compliance with prescriptive AND performance-based regulatory requirements.
 - Provides a more proactive means of identifying and addressing existing and potential risks to safety.



SMS Facts

1. SMS regulations **will not** remove the requirement for a vessel to be inspected and carry Canadian Maritime Documents (certificates).
2. SMS has its own certification scheme:
 - Document of Compliance (DoC) for a Company
 - Safety Management Certificate (SMC) for each vessel
3. SMS is an independent safety requirement
 - It **does not** replace any other safety requirement under any other regulation.



New Approach

- Feedback from preliminary consultation indicates support for one set of SMS regulations.
- New proposed approach removes three-tier structure (ISM, DSM, Guides) and establishes one set of regulatory requirements.
- SMS requirements are based on the ISM Code
- The three-tier approach will apply for the certification scheme.



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



Proposed SMS Certification Scheme

Tier I

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

Tier II

The second tier applies in respect of the following vessels that are not subject to the SOLAS Convention Chapter IX

A vessel of more than 24 meters in length that is not subject to the SOLAS Convention Chapter IX

A vessel that carries more than 12 passengers that is not subject to the SOLAS Convention Chapter IX

Tier III

A vessel that is not subject to Tier I or Tier II requirements.



Tier I

Proposed SMS Certification

Application: Vessels subject to the SOLAS Convention

- 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; and
- Other cargo vessels and mobile offshore drilling units of 500 gross tonnage and upwards, not later than 1 July 2002.

Certification:

- The Authorized Representative shall have its SMS certified and audited by a Classification Society that is authorized by the Minister of Transport.

Issuance of ISM Certification:

- Companies / Vessels subject to the SOLAS Convention will be issued a DOC and SMC(s)



Tier II

Proposed SMS Certification

Application:

- A vessel of more than 24 meters in length that is not subject to the SOLAS Convention Chapter IX; and
- A vessel that carries more than 12 passengers that is not subject to the SOLAS Convention Chapter IX.

Certification:

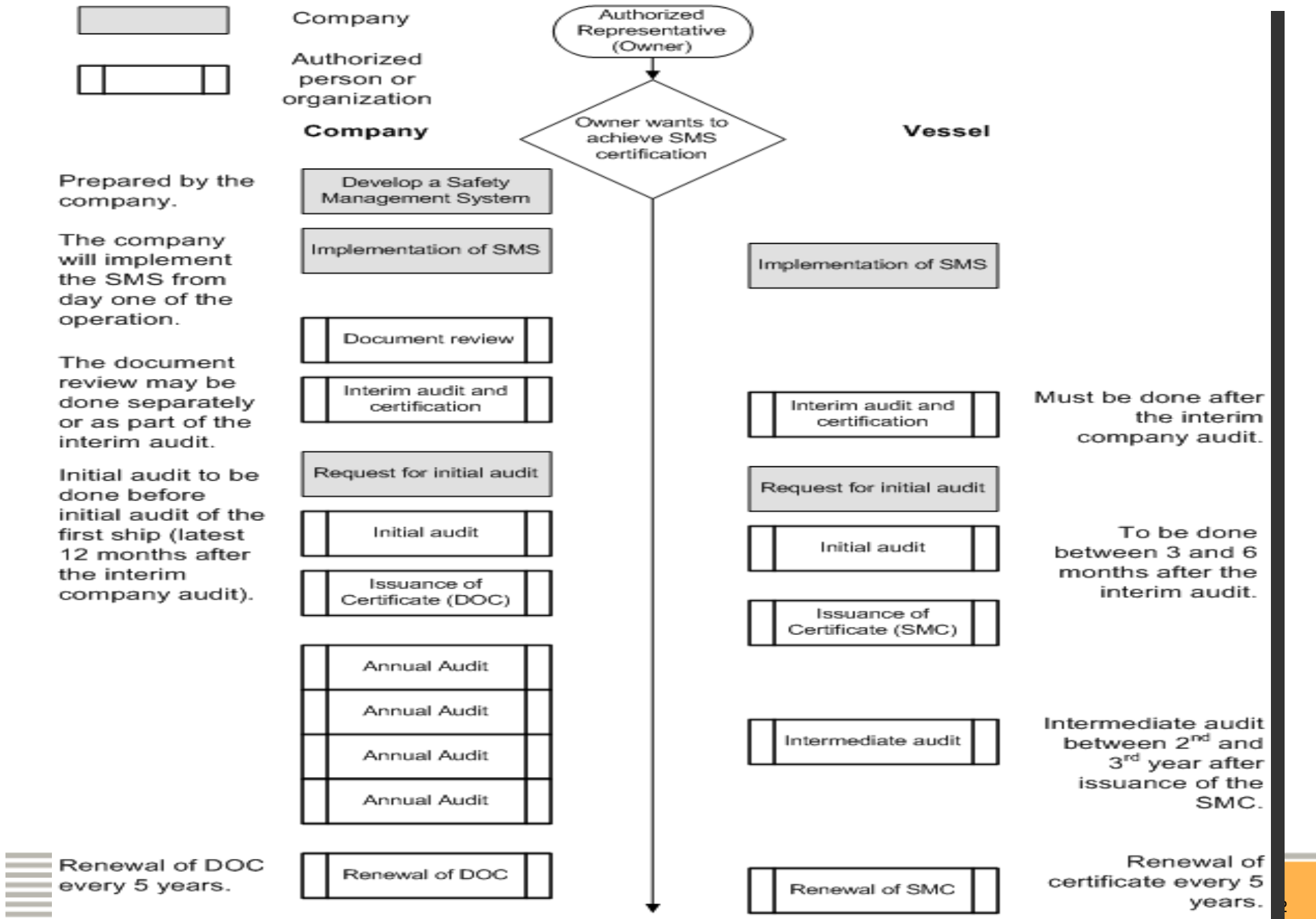
- The Authorized Representative shall have its SMS certified and audited by a Classification Society or Organization that is authorized by the Minister of Transport.

Issuance of Certification:

- Companies / Vessels will be issued a DDOC and DSMC(s)



Audit / Certification Flow Chart



Proposed SMS Certification Tier 3

Application:

- The third tier applies in respect of a vessel that is not subject to Tier I or Tier II requirements.

Safety Management Certification is not Required:

- An Authorized Representative of a vessel in Tier III is not subject to a safety management system certification scheme.
- An Authorized Representative is required to comply with the safety management regulations at all times.
- Compliance with the safety management regulations will be subject to verification by a Marine Safety Inspector during a vessel inspection.



Benefits of a Safety Management Approach

- Helps to minimize the likelihood of incidents and accidents
- Facilitates industry's ability to comply with regulations and other requirements
- Allows for flexibility and innovation: companies can develop safety management systems that reflect their specific operations



Relationship between Operator and Regulator

- Transport Canada will develop SMS guidance material to build awareness and assist operators in the development of their own systems.
- SMS is a safety requirement that is subject to inspection, audit and certification as with any other safety requirement.
- The implementation of safety management regulatory requirements will enhance vessel safety.



Next Steps

- In Spring 2011 and Fall 2011, Marine Safety will continue to conduct extensive consultation with industry stakeholders through regional and national CMAC and other venues.
- Marine Safety welcomes industry to participate and to provide comments and feedback as it consults on the proposed *Safety Management Regulations*.
- In Spring 2012, develop drafting instructions for regulations and other mandatory instruments.



Questions?

