

MARINE SAFETY MANAGEMENT SYSTEM

TIER II – PROCEDURE

SPECIAL TEMPORARY EXEMPTION CRITERIA FROM THE DELEGATED STATUTORY INSPECTION PROGRAM IN RESPONSE TO THE CORONAVIRUS DISEASE (COVID-19)

| Publication | Date |
|------------------------------|-------------------------|
| Initial Approval | May 25, 2020 |
| 1st Review | March 08 2021 |
| 2nd Review | February 7, 2022 |
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1 Purpose

- 1.1 The purpose of this procedure is to temporarily extend the criteria for exemptions from the Delegated Statutory Inspection Program (DSIP) on the basis of financial hardship due to the exceptional circumstance during the Coronavirus disease (COVID-19) pandemic.

2 Authority

- 2.1 This procedure is authorized by the *Marine Safety and Security Executive Committee* and is in accordance with the objectives of the *CSA 2001*.

3 Background

- 3.1 The Tier II - Procedure - *Exemption from the Delegated Statutory Inspection Program* sets out the process and criteria for vessels that may be exempted from DSIP.
- 3.2 With the COVID-19 pandemic health measures, vessel's authorized representative may be facing significant disruptions in their operation, which might result in unexpected financial hardship.
- 3.3 Transport Canada Marine Safety and Security (TCMSS) is temporarily extending the criteria to be considered in the context of financial hardship, as set out in section 7.3 a) and b) of the Procedure - *Exemption from the Delegated Statutory Inspection Program* to take into account the additional financial impact that may occur during the pandemic.

4 Scope

- 4.1 This procedure applies to Authorized Representatives (AR) of vessels of 24 metres in length, and above, that are impacted by the COVID-19 and are currently inspected and certificated by TCMSS and **not** presently enrolled but that are required to enroll in the DSIP during the COVID-19 Pandemic.

5 Responsibility

- 5.1 The *Executive Director, Domestic Vessel Regulatory Oversight and Boating Safety*, is accountable for the development, implementation, maintenance, and continuous improvement of this procedure.

- 5.2 Comments or queries related to this procedure and its application should be addressed to:

*Manager, National Marine Safety Program
Safety Management Systems and Authorizations
330 Sparks Street
Ottawa (Ontario) K1A 0N8
dsip-pdio@tc.gc.ca*

6 Procedure

- 6.1 The procedure set out in the Tier II - Procedure - *Exemption from the Delegated Statutory Inspection Program* must be followed, with the modifications below.
- 6.2 When receiving an application for financial hardship, *Manager, Safety Management Systems and Authorizations* (AMSDA) will verify if the vessel is eligible in accordance with paragraph 4.1.
- 6.3 When a vessel is eligible, additional information are requested to the AR, as needed, to evaluate if the vessel operation is affected by the health measures in place during the COVID-19 pandemic.
- 6.4 The AR must justify financial hardship due to the health measures in place during the COVID-19 pandemic by submitting a signed letter, that details one or more of the reasons listed in paragraph 6.5.
- The letter must include specific examples to demonstrate the situation, submitting only a statement referring to the relevant factors will not be considered sufficient and will not be acceptable.
- 6.5 The following factors are taken into consideration for a temporary special exemption:
- The vessel must operate at a reduced capacity due to health measures;
 - Ongoing or recurring transportation contracts have been cancelled or limited in scope;
 - The length of operating season has been reduced; or
 - The vessel is unable to operate.

- 6.6 For all applications under this procedure, AMSDA will consult with the DSIP Liaison Officer (DSIPLO) in the region of the operation of the vessel to assess and confirm the alleged impact on the vessel operation, and to confirm that the inspection and certification can continue to be performed by TCMSS.
- 6.7 If the alleged impact is confirmed, a recommendation will be made to the *Executive Director, Domestic Vessel Regulatory Oversight and Boating Safety* and the Regional Director in the region of the operation of the vessel to approve the exemption.
- 6.8 Exemptions from the required participation in the DSIP on the basis of financial hardship due to the evolving novel Coronavirus disease (COVID-19) remains valid for a period of **12 months** from the date of acceptance by the *Executive Director, Domestic Vessel Regulatory Oversight and Boating Safety* and can be withdrawn, at any time by him.

7 Related Documents

- 7.1 Tier I – Policy – *Certification of Vessels of 24 Metres in Length and Above* (RDIMS 8388535)
- 7.2 Tier II - Procedure - *Exemption from the Delegated Statutory Inspection Program* (RDIMS 12785849)
- 7.3 Tier III – Work Instructions – *Review of Applications for Certification by Transport of Vessels of 24 Metres in Length and Above* (RDIMS 9069041)
- 7.4 Application form (85-0494)

8 Date of Application

- 8.1 This procedure came into force on **May 25, 2020**.
- 8.2 This procedure was reviewed by Marine Safety and Security Executive (MSSE) Committee on **February 7, 2022**.
- 8.3 This procedure will be reviewed one year after being re-approved by MSSE.

9 RDIMS Reference

- 9.1 The English version of this document is saved in RDIMS under reference number **16502038**. The applied naming convention is PUBLICATION – TP 13585 – PROCEDURE - SPECIAL TEMPORARY EXEMPTION CRITERIA FROM THE DELEGATED STATUTORY INSPECTION PROGRAM IN RESPONSE TO THE CORONAVIRUS DISEASE (COVID-19).

- 9.2 La version française du présent document est disponible dans le SGDDI et porte le numéro de référence **16533030**. La règle d'affectation des noms est (PUBLICATION - TP 13585 - PROCÉDURE - CRITÈRES SPÉCIAUX D'EXEMPTION TEMPORAIRE DU PROGRAMME DE DÉLÉGATION DES INSPECTIONS OBLIGATOIRES EN RAISON DE LA MALADIE DU CORONAVIRUS (COVID-19))
- 9.3 This is the first approved and finalized revision of the English version of this document.

10 Keywords

- CORONAVIRUS
- COVID-19
- DSIP EXEMPTION
- ALTERNATIVE SERVICE DELIVERY (ASD)