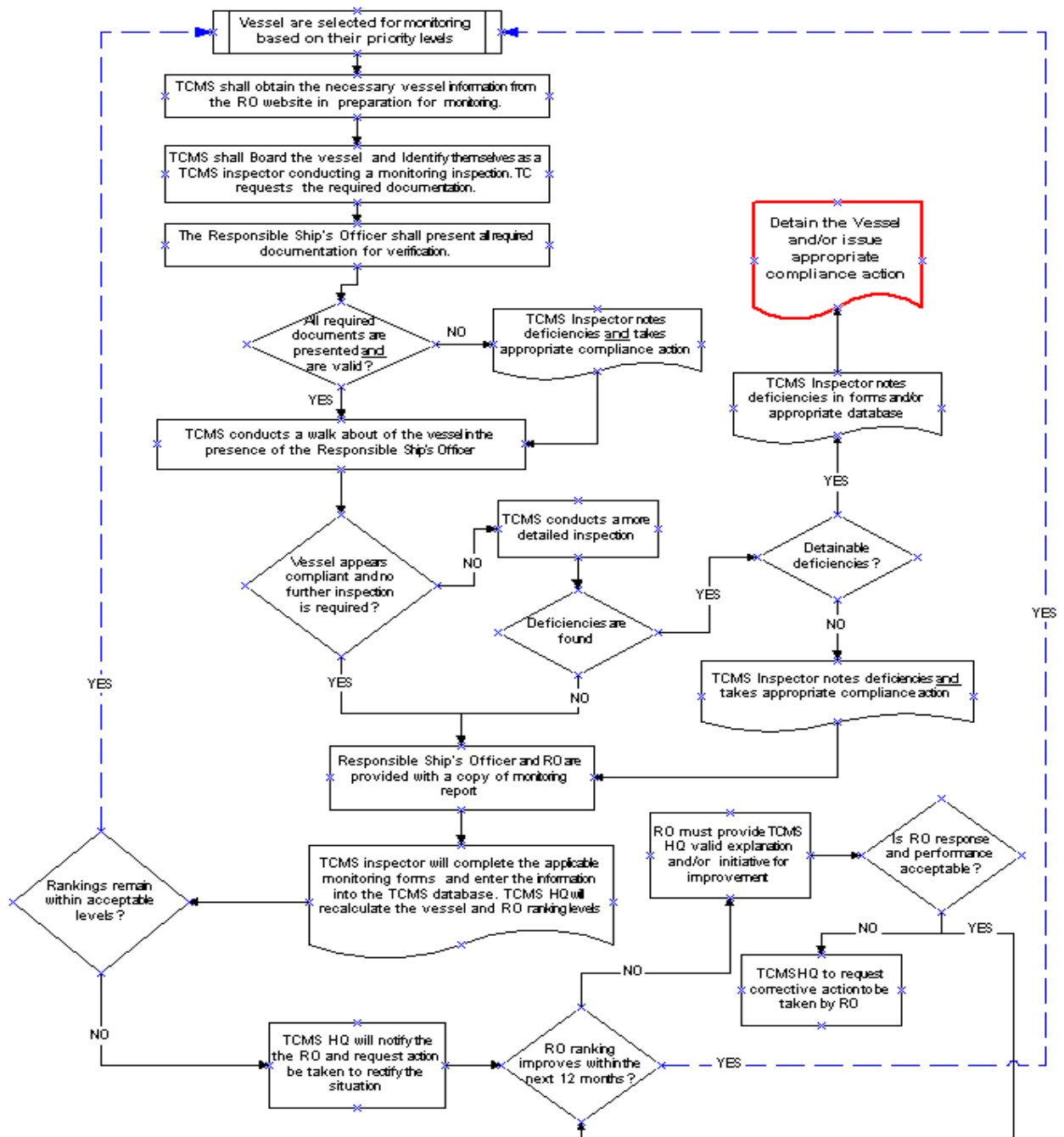


MARINE SAFETY MANAGEMENT SYSTEM TIER II – PROCEDURE

DELEGATED STATUTORY INSPECTION PROGRAM (DSIP) MONITORING PROCEDURE

1 Process Flowchart



2 Purpose

- 2.1 This procedure manual describes the roles and responsibilities of the Authorized Representative, Transport Canada Marine Safety, and Recognized Organizations in the inspection or monitoring of vessels enrolled in the Delegated Statutory Inspection Program.

3 Authority

- 3.1 This procedure was authorized by the Marine Safety Executive January 13, 2010 and came into force March 15, 2010.

4 Background

- 4.1 The Delegated Statutory Inspection Program (DSIP) was first implemented in 2001, under the *Canada Shipping Act*, to increase the effectiveness of the allocation of Transport Canada resources. DSIP is a voluntary program wherein Transport Canada Marine Safety (TCMS) delegates some authority to classification societies, known as Recognized Organizations (RO), to perform statutory inspections and to issue Canadian Maritime Documents (CMD).
- 4.2 The ROs perform various functions on behalf of TCMS, including plan approval and statutory inspections, for vessels enrolled in DSIP. These functions are outlined in the delegation agreement with the Minister of Transport that defines the scope, terms, conditions, and requirements of the program. The delegation of these functions to ROs provides vessel owners a worldwide range of resources to enhance the efficiency and effectiveness of vessel inspections.
- 4.3 TCMS maintains an oversight role through the enforcement of regulations and polices during monitoring inspections.

5 Scope

- 5.1 This procedure is applicable to Transport Canada Marine Safety, Recognized Organizations, and Authorized Representatives carrying out activities specific to the operation, inspection, certification and monitoring of vessels enrolled in DSIP.

6 Responsibility

- 6.1 The Director of Operations and Environmental Programs is responsible for maintaining this procedure.
- 6.2 The Regional Directors are responsible for the implementation and promotion of this procedure in their respective regions.
- 6.3 Comments or queries related to this procedure and its application should be addressed to:

Manager, Flag State Inspection Standards
AMSEH
330 Sparks Street
Ottawa ON K1A 0N8
Phone: (613) 991-3142

7 Definitions

Authorized Representative (AR)

Authorized Representative is the person meeting the requirements of Section 14 of the *Canada Shipping Act, 2001* (CSA 2001).

Authorized Representative may authorize the vessel operator to act as the signing authority under DSIP in instances where the AR is not the operator of the vessel. In the case of a vessel under construction, or being imported into Canada, this authorized person is the person intending to operate the vessel once it is registered. The individual filling the AR role must have a letter from the AR authorizing them to act as the AR for the purposes of DSIP.

'Clear Grounds'

For the purpose of this procedure, the factors to be considered in ascertaining if 'Clear Grounds' exist for a more detailed inspection include, but are not limited to:

- Evidence that vessel operations are not being conducted safely
- A major incident or accident that has just occurred on the vessel
- Multiple inaccuracies that are discovered during the verification of documents
- Crewmembers display unfamiliarity with their assigned emergency duties
- Essential vessel operations relating to pollution prevention operations have not been conducted as required
- Essential equipment is absent or defective
- The vessel has excessively unsanitary conditions
- Security breaches are observed, where applicable

DSIP Liaison Officer (DSIPLO)

The DSIP Liaison Officer is an individual, appointed by the Regional Director in each region or headquarters, who is the point of contact for all matters pertaining to DSIP.

Monitoring Inspection

A monitoring inspection is an announced or unannounced inspection undertaken by TCMS to verify that the RO has performed the delegated duties, in accordance with the terms of the delegation agreement, DSIP policy, and instructions to ROs. These inspections are also to be used to verify the performance of the AR, Master and crew in fulfilling their responsibilities under CSA 2001.

Recognized Organization (RO)

A Recognized Organization is a classification society that has been delegated authority by the Minister of Transport to perform inspections or issue Canadian

Maritime Documents (CMDs) on behalf of the Minister under the authority of formal legal agreements.

Regional Director (RD)

A Regional Director is a Marine Safety Director of a Transport Canada Region, or a person authorized to act on behalf of the Director.

Responsible Ship's Officer (RSO)

A Responsible Ship Officer is a person on board the vessel who is in charge of the vessel.

8 Procedures

- 8.1 TCMS shall maintain a list of all delegated vessels including an indication of the priority of each vessel for a monitoring inspection. The priority will be dependent upon several factors such as: the type, age and size of the vessel, time elapsed since last monitoring, the operation of the vessel, and the historical performance of the RO and AR.
- 8.2 TCMS shall prepare for a monitoring inspection by obtaining the necessary information for the vessel. This shall consist of a review of previous inspection records, any vessel specific ruling, any existing compliance schedule or any previous Administrative Monetary Penalties.
- 8.3 TCMS may perform a monitoring inspection of any delegated vessel, with minimal or no notification.
- 8.4 TCMS shall verify that the vessel has all relevant safety and pollution prevention documents, based upon the vessel type and tonnage.
- 8.5 Should the responsible ship's officer be unable to produce the required and valid documentation, TCMS shall take the appropriate compliance action.
- 8.6 TCMS, in the presence of the responsible ship's officer, shall conduct a walk through inspection of the vessel verifying that the Master, vessel's crewmembers, and the AR have taken all appropriate actions to ensure that the ship complies with Canadian statutes, regulations, standards and all applicable international codes and conventions. In the case that a TCMS inspector finds 'clear grounds' warranting further examination, he or she may conduct a more thorough inspection.
- 8.7 If a deficiency is found, TCMS may detain the vessel and/or take the appropriate compliance action. TCMS shall immediately inform the AR and RO of the detention and compliance action.
- 8.8 The AR and the RO shall be provided with a copy of all monitoring inspections including enforcement actions taken against the vessel at the completion of the inspection. Inspection non-conformities that are deemed to be the responsibility of the RO shall be readily identified.

- 8.9 TCMS shall complete the necessary deficiency forms and enter the information into the appropriate database.
- 8.10 The RO shall ensure that the vessel's file, including any database, is updated with noted deficiencies, rectification schedules and completion status, including all compliance action issued during TCMS monitoring inspections.
- 8.11 Any compliance action taken against the vessel may affect the vessel's and RO's priority for future monitoring.
- 8.12 Should the performance of the RO reach unacceptable levels, TCMSHQ shall contact the RO, in writing, informing them of the situation.
- 8.13 If the performance of the RO does not improve within a twelve-month period, RO shall provide TCMSHQ with a written explanation and plan for improvement.
- 8.14 Should the performance of the RO still remain at an unacceptable level, TCMSHQ may exercise its authority to nullify the applicable delegation agreement.
- 8.15 Should TCMS monitoring indicate that a RO failed to fulfill their obligations under the delegation agreement, on recommendation of the Regional Directors, TCMSHQ shall request corrective action be taken by the RO. The RO shall respond to such requests and propose corrective action in a timely manner.
- 8.16 TCMS may remove a vessel from DSIP at any time based on the performance of the AR or the RO, with the approval of the Director General of Marine Safety.

9 Related Documents

- 9.1 Publication - TP 13585 - Policy - Delegated Statutory Inspection Program (DSIP)
- 9.2 Publication - TP 13585 - Procedure - Delegated Statutory Inspection Program (DSIP) Enrolment Procedure
- 9.3 Tier III Work Instruction - DSIP Work Instructions
- 9.4 Publication - TP 13585 - Policy - Transport Canada Marine Safety Policy On Compliance And Enforcement Of The Canada Shipping Act, 2001
- 9.5 IMO Resolution A.739 (18)
- 9.6 IMO Resolution A.789 (19)

10 Date of Application

- 10.1 This Procedure is available in both English and French on the *Marine Safety* web site and became applicable on March 15, 2010

11 Date for Review

- 11.1 This procedure shall be reviewed twelve (12) months after its approval by MSE, and at a frequency of not less than three (3) years thereafter.

12 RDIMS Reference

- 12.1 The English version of this document is saved in RDIMS under reference number 5073673. The applied naming convention is PUBLICATION - TP 13585 -

PROCEDURE – DELEGATED STATUTORY INSPECTION PROGRAM (DSIP)
MONITORING PROCEDURE.

12.2 La version française du présent document est dans le SGDDI et porte le numéro de référence (5380039). La règle d'affectation des noms est (PUBLICATION – TP 13585 – PROCÉDURE - MANUEL DES PROCÉDURES DE SURVEILLANCE DU PDIO).

13 Keywords

- Delegated Statutory Inspection Program
- Marine Safety Procedure Manual
- Recognized Organisation
- Recognized Classification Society
- Authorized Representative
- Monitoring