Subject: Coming into force: New Arctic Shipping Safety and Pollution Prevention Regulations

Purpose
This bulletin gives stakeholders general information about the new Arctic Shipping Safety and Pollution Prevention Regulations (ASSPPR). They came into force on December 19, 2017 and are available online at http://laws.justice.gc.ca/eng/regulations/SOR-2017-286/index.html.

Scope
The Regulations include safety measures and pollution prevention measures for:
- Canadian vessels navigating in polar waters; and
- Foreign vessels navigating in a Canadian Shipping Safety Control Zone.

Structure of the Regulations
The ASSPPR incorporate by reference the safety requirements of Chapter XIV of SOLAS and amendments made to four (4) of the MARPOL Annexes. It brings the International Code for Ships Operating in Polar Waters (Polar Code) into Canada’s regulatory framework, and includes Canadian modifications. The Regulations have three parts and two schedules.

Part 1 - Safety Measures
Section 6 of the ASSPPR has the effect of making the safety-related Polar Code requirements (in Part I-A) applicable to Canadian vessels operating in polar waters and foreign vessels operating in a Shipping Safety Control Zone (SSCZ). These requirements apply to:
- Cargo vessels of 500 GT or above and certified as set out in Chapter I of SOLAS;

Keywords:
1. Arctic Shipping Safety
2. Arctic Pollution Prevention
3. Polar Code

Questions concerning this Bulletin should be addressed to:

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- Passenger vessels certified as set out in Chapter I of SOLAS;
- Vessels 500 GT or more and not captured by the two categories above, other than fishing vessels, pleasure craft, and vessels without mechanical means of propulsion.

All vessels built after January 1, 2017 which fall under one of the three categories of vessels mentioned above intending to operate in polar waters / a SSCZ, must have a valid Polar Ship Certificate (PSC) onboard. All Canadian vessels which fall under one of the three categories of vessels mentioned above which were built before January 1, 2017 must obtain a PSC no later than at the vessel’s first intermediate or renewal survey, whichever occurs first after January 1, 2018. The PSC must be issued by a Recognized Organization (RO).

The ASSPPR maintain both the Arctic Ice Regime Shipping System (AIRSS) and Zone Date System (ZDS), though introduce the POLARIS\(^1\) system as an official option, in some cases, for determining a vessel’s limits in ice.

**Note**
While the safety provisions of the Polar Code do not apply to fishing vessels, pleasure craft, and vessels without a mechanical means of propulsion, the Canadian modifications captured in Sections 8 to 10 of the ASSPPR do apply to vessels of 300 gross tonnage or more, including fishing vessels, pleasure craft, and vessels without a mechanical means of propulsion.

**Part 2 - Pollution Prevention Measures**
The *Arctic Waters Pollution Prevention Act* (AWPPA) places a complete prohibition (zero discharge) of pollution from ships/vessels in “arctic waters”, as defined in the AWPPA, except where the AWPPA regulations authorize it.

To comply with this existing discharge regime, the ASSPPR introduce select operational and structural pollution prevention measures contained in Part II-A of the Polar Code. Specifically, Part 2 sets out Canadian modifications with regards to the prevention of pollution by oil, by sewage, and by garbage from vessels, as well as the control of pollution by noxious liquid substances in bulk.

Except where otherwise indicated, the pollution prevention sections of the ASSPPR apply to all Canadian vessels operating in polar waters, and foreign vessels operating within the SSCZ (including fishing vessels, pleasure craft, and vessels without a mechanical means of propulsion).

\(^1\) International Maritime Organization (IMO) Polar Operational Limit Assessment Risk Indexing System (POLARIS), as set out in the Appendix to IMO Circular MSC.1/Circ.1519.
Schedule 1

Schedule 1 contains the zone date system entry and exit table, as set out in subsection 8 (1) and (4).

Schedule 2

Schedule 2 contains the ice class equivalency table.

Part 3 - Consequential Amendments and Repeal

The ASSPPR:

- Repeal the *Arctic Shipping Pollution Prevention Regulations*

Other Superseded Documents

Transport Canada will withdraw the following documents:

- TP 12260 - Equivalent Standards for the Construction of Arctic Class Ships (1995);
- TP 12819 - User Assistance Package for the Implementation of Canada’s Arctic Ice Regime Shipping System (AIRSS) (May 1998);
- TP 14044 - Arctic Ice Regime Shipping System Pictorial Guide.

In addition, Transport Canada has amended the *Arctic Ice Regime Shipping System (AIRSS) Standards* (TP 12259) to support sections 8 and 9 of the ASSPPR.

- It does:
  - include information on the application of AIRSS;
  - include information on the application to POLARIS;
  - detail the Ice Regime Routing Message template (Appendix A).

- It does not include any technical changes to the AIRSS method of ice assessment.

Note:

You can access the revised TP 12259 online at [http://www.tc.gc.ca/eng/marinesafety/tp-menu-515.htm](http://www.tc.gc.ca/eng/marinesafety/tp-menu-515.htm)