



## Canada - Nova Scotia Offshore Petroleum Board

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# Safety Directive

## Certificate of Fitness and OHS Transitional Regulations

**File 20,100.27**

31 December 2014

Legislative amendments which introduce new occupational health and safety provisions to the provincial Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act and the federal *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act* (section references are to the federal Accord Act) took effect on December 31, 2014. Concurrently with the legislative amendments, the transitional regulations *Canada-Nova Scotia Offshore Marine Installations and Structures Occupational Health and Safety Transitional Regulations* and the *Canada-Nova Scotia Offshore Area Diving Operations Safety Transitional Regulations* also took effect.

In the course of making the Accord Act amendments, it has been identified that, under subparagraph 4(2)(a)(i) of the *Nova Scotia Offshore Certificate of Fitness Regulations*, reference to these transitional regulations has not yet been updated by a corresponding consequential amendment.

The current provisions of subparagraph 4(2)(a)(i)(B) of the *Nova Scotia Offshore Certificate of Fitness Regulations* state:

“(2) Subject to subsections (3) and (5) and section 5, a certifying authority may issue a certificate of fitness in respect of the installations referred to in subsection (1), if the certifying authority:

(a) determines that, in relation to the production or drill site or region in which the particular installation is to be operated, the installation

(i) is designed, constructed, transported and installed or established in accordance with...

(B) the provisions of the *Oil and Gas Occupational Safety and Health Regulations* listed in Part 1 of the schedule to these Regulations, and...”

The *Nova Scotia Offshore Certificate of Fitness Regulations* also include a schedule of the certification standards that list applicable provisions of the *Oil and Gas Occupational Safety and Health Regulations*; analogous sections of the

*Canada-Nova Scotia Offshore Marine Installations and Structures Occupational Health and Safety Transitional Regulations* will need to be applied in lieu of this schedule.

Respecting the *Canada-Nova Scotia Offshore Marine Installations and Structures Occupational Health and Safety Transitional Regulations*, the Board will enforce its provisions. Operators are directed to review their occupational health and safety management systems and, pursuant to section 155 of the Accord Act, are authorized to substitute compliance with the *Oil and Gas Occupational Safety and Health Regulations* with compliance to the *Canada-Nova Scotia Offshore Marine Installations and Structures Occupational Health and Safety Transitional Regulations*.

If you have any questions regarding this Directive, please contact:

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