



Code of Practice

Transportation by Vessel to or from a Workplace in the Atlantic Canada Offshore Petroleum Industry

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1 Purpose and Scope

This Code of Practice entitled Transportation by Vessel to or from a Workplace in the Atlantic Canada Offshore Area (this “Code of Practice”) is a result of a joint effort among the Atlantic Canada Offshore Petroleum Industry Operators, the Canada-Nova Scotia Offshore Energy Regulator (CNSOER) and the Canada-Newfoundland and Labrador Offshore Energy Regulator (C-NLOER).

Operators in the Atlantic Canada offshore area, represented by CAPP, have developed this Code of Practice to provide guidance and a consistent practice for safe transportation by vessel to, from and between an Operator’s offshore Workplaces.

This Code of Practice is intended to complement an individual Operator’s and Employer’s procedures, as well as legislative and regulatory requirements¹, for the transportation of Employees and personnel to and from a Workplace by vessel, including but not limited to the following

- The *Canada-Newfoundland and Labrador Offshore Area Occupational Health and Safety Regulations, SOR/2021-247* and the *Canada – Nova Scotia Offshore Area Occupational Health and Safety Regulations, SOR/2021-248* (the “**OHS Regulations**”)
- The *Canada–Newfoundland and Labrador Offshore Area Petroleum Operations Framework Regulations, SOR/2024-25* and the *Canada–Nova Scotia Offshore Area Petroleum Operations Framework Regulations (SOR/2024-26)* (the “**Framework Regulations**”)
- The *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C.1987, c.3* and the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation and Offshore Renewable Energy Management Act, S.C. 1988, c. 28* (each an “**Accord Act**”, and together the “**Accord Acts**”).
- *Canada Shipping Act, 2001, S.C. 2001, c. 26* (the “**Canada Shipping Act**”).

Note: Where differences between the Newfoundland and Labrador version and the Nova Scotia version of the *Accord Acts* or related regulation must be referenced, “NL” or “NS” will be indicated with the section number.” (e.g. s. 205.001(1) NL or s. 210.001(1) NS). Recognizing that there are federal and provincial mirror versions of the *Accord Acts* and related regulations, for clarity, all references included here are to the federal versions.

2 Terms and Definitions

For the purpose of this Code of Practice, the following terms and definitions apply:

Accord Act	Refers to the <i>Canada-Newfoundland and Labrador Atlantic Accord Implementation Act</i> , the <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation and Offshore Renewable Energy Management Act</i> , the <i>Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act</i> and the <i>Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation and Offshore Renewable Energy Management (Nova Scotia) Act</i> ² Note: section numbers differ between the <i>Nova Scotia Accord Act</i> and the <i>Newfoundland and Labrador Accord Act</i> .
Certifying Authority	Means a “certifying authority” as defined in the Framework Regulations.
Classification Society	Means a “classification society” as defined in the Framework Regulations.
Employee	Means an “employee” as defined in the <i>Accord Act</i> .
Employer	Means an “employer” as defined in the <i>Accord Act</i> .
Marine Installation or Structure	Refers to a “marine installation or structure” as defined in the <i>Accord Act</i> .
Offshore Installation Manager (OIM)	The manager responsible for the safety of all personnel onboard an offshore installation, placed in command pursuant to the <i>Accord Act</i> and meeting the requirements of the Atlantic Canada Offshore Petroleum Code of Practice for the Training and Qualifications of Offshore Personnel Code of Practice (COP TQOP).
Operator	The person or company who has been issued an authorization by the Canada - Newfoundland Offshore Energy Regulator or the Canada – Nova Scotia Offshore Energy Regulator.
Passenger	Any person carried on board a vessel for the purpose of being transferred to an onshore or offshore facility and who is not part of the crew engaged in operating or working on the vessel.
Personnel transfer device	Means a “personnel transfer device” as described in paragraph 126(1)(f) of the <i>OHS Regulations</i> .
Supplier	Means a “supplier” or a “provider of services” as defined in the <i>Accord Act</i> .

² All references made to the *Accord Act* in this document are to the federal version of the Act.

Vessel Master	The individual in command of the vessel and responsible for its safe and efficient operations and the safety of all personnel on board.
Vessel Owner	The owner of the vessel.
Vessel Operator	The company that is responsible for the safe day to day operations of the vessel. The vessel operator can be the vessel owner.
Workplace	Means a “workplace” as defined in the <i>Accord Act</i> .

3 Types of Vessel Transfers

Normally accepted means of vessel transfers to / from an offshore workplace include:

- Vessel to Marine Installation or Structure transfer via Personnel Transfer Device.
- Vessel to vessel transfer via fast rescue craft, rescue boat or daughter craft.
- Certified gangway or bridge transfer.

Other methods of vessel transfer will be considered by the C-NLOER or the CNSOER on a case-by-case basis. Vessel transfers shall only be permitted where a procedure and risk assessment has identified the most appropriate process for the transfer with due consideration for the safety of personnel.

3.1 Vessel to Marine Installation or Structure Transfer via Personnel Transfer Device

3.1.1 Cranes

Cranes used for vessel transfer must be certified for personnel transfer by a Certifying Authority or Classification Society, as appropriate.

3.1.2 Personnel Transfer Device

Transfers between a vessel and a Marine Installation or Structure will be via a crane lifted personnel transfer device which has been certified by a Certifying Authority or Classification Society, as appropriate. Personnel transfer devices must be checked before use as per the manufacturer's recommendations.

3.2 Gangway and Bridge Transfer

Bridges and gangways must be approved by a Classification Society or Certifying Authority or both, as appropriate. Any alternates to these methods of transfers must be approved by the appropriate offshore regulator, which is either the C-NLOER or the CNSOER.

3.2.1 Bridges

Larger vessels (for example, standby vessels, heavy-lift crane vessels, accommodation vessels or mobile offshore drilling units) may be fitted with long bridges to effect the transfer of Passengers. The equipment may be hydraulically controlled, with the ability to be lifted into place and supported by a crane or, alternatively, have its own dedicated support mechanism. Bridges and personnel crossings shall be closely monitored and controlled.

3.2.2 Heave Compensated Gangways

These are purpose-designed gangways mounted on a vessel which connect to another vessel/ Marine Installation or Structure to allow personnel to pass safely across. These gangways are

fitted with hydraulic heave compensation systems which adjust gangway length and/or the horizontal/vertical angles to compensate for the vessel's relative movement. The equipment may also be fitted with a traffic light system to prevent the movement of personnel onto the gangway when automatic adjustments are taking place.

Note: Must adhere to gangway requirements as per the *Canada Shipping Act*, with suitable netting or barriers in place with certification from a Classification Society.

3.3 Vessel to Vessel Transfer

The physical and environmental conditions should be assessed by the Vessel Masters to determine if it is suitable for the use of a small boat, and to allow a close approach and safe transfer.

The transfer vessel (fast rescue craft, rescue boat or daughter craft) shall be outfitted for the number of persons to be transferred and shall comply with applicable legislation for the area of operation.

The transfer of Passengers shall only be permitted where a risk assessment has identified the most appropriate process for the transfer with due consideration for safety of personnel.

4 Issues Specific to Personnel Transfers

In accordance with paragraph 205.037(2)(c) of the Newfoundland and Labrador *Accord Act* or with paragraph 210.037(2)(c) of the Nova Scotia *Accord Act*, a copy of this Code of Practice must be posted by every Operator in a prominent place at each of its Workplaces that are accessed by vessel. The following regulatory requirements and principles apply:

- a. Operators will take all reasonable precautions to ensure that any operation necessary for the safety of persons at a Marine Installation or Structure or on a support craft has priority, at all times, over any work or activity at that Marine Installation or Structure or on that support craft.
- b. Passengers should be briefed prior to a transfer by vessel to or from a Workplace and should be familiar with the method of transfer, understand how to don and use the personal protective equipment provided, as well as safety aspects of the transfer.
- c. Only certified and approved personnel transfer devices, vessels, crews, and lifting and lifesaving equipment will be used for transfers to or from a Workplace. The "CAPP Safe Lifting Practice" provides the currently accepted best practice related to lifting equipment and related operations (for transfers between a Marine Installation or Structure and vessel by crane and personnel transfer device only).
- d. All Persons who are involved in the personnel transfer to and from a Workplace must be properly trained as per appropriate operator and regulatory requirements. Refer to training requirements as outlined in the COP TQOP.

- e. Transportation by vessel to and from a Workplace should be done at a level of risk that is as low as reasonably practicable in accordance with the vessel's individual passenger carrying certification. Each Operator will have as part of its management system necessary tools to assess the risks associated with the transportation of Passengers, which will address at a minimum, but shall not be limited to, the following:
- **Environmental Conditions:** Each transfer will consider the visibility, wind speed and direction, sea state, (including swell height and direction, current or tide speed and direction), weather conditions (including rain, snow or ice), and any additional criteria or restrictions deemed appropriate by the Operator. Forecasted conditions for the duration of the trip to/from an offshore Workplace or between offshore Workplaces will be considered when planning vessel transfers.
 - **Operational Awareness:** Personnel transfer should be prioritized, taking into consideration the planned time of transfer, vessel speed versus transfer from vessel, and the operational situation upon arrival at the Workplace. Vessel transfers will be executed within the manufacturer's recommended operating limits for the vessel, crane and transfer devices to ensure the safe and efficient transfer given the operational awareness (i.e., cargo operations, standby vessel, and any simultaneous operations at the time).
 - **Well-Being and Fatigue Management:** Each Operator must have within its management system the means for assessing and ensuring well-being (e.g., motion sickness) and management of fatigue of Passengers after having arrived at a Workplace by vessel and prior to work being performed by the Passenger.
- f. Prior to each transportation by vessel to or from a Workplace, the Operator shall assess the risks associated with the personnel transfer, taking into consideration the environmental conditions, operational awareness, well-being and fatigue management, and it shall implement appropriate controls and measures as a result. If a change in the above-noted conditions occurs during transport, a reassessment should be conducted.
- g. After arrival onboard the Marine Installation or Structure /Workplace and prior to commencing work, Passengers are assessed by a medic or a first aid attendant. If transportation by vessel is intended to be a round-trip process (i.e., transferring Passengers onshore to offshore and then offshore to onshore via the same vessel), consideration will be given to having a medic or a first aid attendant onboard.
- h. Multi-destination voyages (i.e., three or more destinations) should be avoided and should only be carried out in extenuating safety or compassionate circumstances.

5 Responsibilities of Workplace Parties

The following are the overarching responsibilities of Operators, Employers, Employees, Vessel Owners, Suppliers, Providers of Service and Vessel Masters. This is not an exhaustive list and is intended to complement the specific responsibilities contained in an individual Operator's management plans. The responsibility for the safety of Passengers during transfer lies with the respective Vessel Master or OIM. There should be full co-operation and communication between the respective Vessel Master and OIM.

5.1 Responsibilities of Operators

Operators will ensure that all operations related to the transportation of Passengers by vessel to or from a Workplace are conducted in accordance with the applicable authorization, legal and regulatory requirements, and the Operator's management system.

As part of overall safety planning and management, Operators will ensure that:

- The applicable vessels are suitable for passenger transportation and comply with the applicable class, flag and coastal state requirements and the International Convention for the Safety of Life at Sea (SOLAS).
- All equipment and devices used for personnel transfer are certified by a Certifying Authority or Classification Society, as appropriate, for service and are suitable for the activity, and the passenger transfer equipment limitations are adhered to.
- The required procedures and work authorizations (permits) are prepared and available.
- The decision to transport Passengers to or from a Workplace by vessel takes into consideration the weather for both the outbound and inbound transits, as well as the weather at the offshore Workplace. Current sea states, ice conditions and forecasts will be considered and made available to all those involved in planning the transportation operation.
- The OIM or their designate, in consultation with the Vessel Master and crane operator as applicable, has the ultimate authority on the Marine Installation or Structure, in the field, for the transfer of Passengers between the vessel and the Workplace.
- Otherwise, the Vessel Masters have the ultimate authority for the transfer of Passengers between vessels.
- Consideration is given to having a medic or a first aid attendant onboard the transporting vessel for roundtrip Passenger runs, in accordance with the individual Operator's procedures.
- In accordance with the individual Operator management systems regarding managing worker fatigue (and motion sickness), Passengers are assessed by a medic after having arrived onboard the Workplace and prior to commencing work.
- The carriage of Passengers and dangerous goods will be done in accordance with the vessel's individual passenger carrying certification. In all instances, the carriage of dangerous goods on Passenger transits will be minimized as much as practicable, in accordance with the International Maritime Dangerous Goods Code.

5.2 Responsibilities of Employers, Employees and Other Passengers

Subject to section 205.054 of the Newfoundland and Labrador *Accord Act* or section 210.054 of the Nova Scotia *Accord Act*, any Employee may refuse to be transported on a passenger craft if they have reasonable cause to believe that the performance of the activity constitutes a danger to themselves.

Subject to section 205.019 of the Newfoundland and Labrador *Accord Act* or to section 210.019 of the Nova Scotia *Accord Act*, Employers are required to fulfill specific duties to ensure the health and safety of Employees.

5.2.1 Employers

Employers are required by Operators to meet all regulatory requirements.

An Employer is responsible for:

- the health and safety of its Employees and other individuals at a Workplace under its control;
- the health and safety of its Employees at a Workplace that is not under its control, to the extent that it controls their activities at the Workplace; and
- the health and safety of its Employees while — and immediately before — they are transported on a passenger craft.

5.2.2 Employees and Other Passengers

While on a vessel transporting Employees and other passengers to a Workplace, Passengers will follow the instructions of the vessel crew and comply with regulatory requirements set out in section 205.028 of the Newfoundland and Labrador *Accord Act* or section 210.028 of the Nova Scotia *Accord Act*.

Passengers are responsible for:

- Notifying the Vessel Master or designate of any safety concerns, injury, or illness, including motion sickness, during the voyage.
- Reporting fatigue or any impediment to performing work safely to their immediate supervisors.
- Participating in the orientation of the vessel provided by the Vessel Master or designate.
- Respecting and following the established procedures, instructions and protocols on the vessel during transfer operations.
- Complying with the Operator's management system, policies and programs, including any related to fatigue or impairment management.

5.3 Responsibilities of Vessel Owners

A Vessel Owner will operate in full compliance with the requirements of Transport Canada (or the requirements of other Flag State) and with its respective Classification Society and management systems. Furthermore, Vessel Owners will ensure that their vessels are operated in accordance with the applicable Operator's management system.

As part of overall safety planning and management, Vessel Owners will ensure that:

- Each vessel's crew is trained in medical response, as required by the applicable regulations.
- Motion sickness medication is available.

5.4 Responsibilities of Vessel Masters

The Vessel Master is ultimately responsible, and holds the authority to make decisions, for matters related to the safety of the Passengers, the crew and the vessel, and has authority to decide as to whether a transfer between the Workplace and vessel can be safely undertaken. The Vessel Master will operate the vessel in accordance with applicable laws and regulations, and the Vessel Owner's and applicable Operator's management systems, policies and procedures.

As part of overall safety planning and management, the Vessel Master will ensure that:

- All Passengers are provided with a safety orientation and vessel overview prior to departure.
- The Operator is promptly notified of any health or safety issues or of concerns related to the transport of Passengers.
- Each Passenger is provided with a berth.
- Passengers are provided with an area (or with areas) for rest and relaxation.
- Meals and snacks are provided.

5.5 Responsibilities of Suppliers and Providers of Services

Refer to sections 205.03, 205.031, 205.032 and 205.033 of the *Newfoundland and Labrador Accord Act* or to sections 210.03, 210.031, 210.032 and 210.033 of the *Nova Scotia Accord Act* for duties in relation to suppliers and providers of services on a passenger craft.

6 Reference Material

- *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act*, S.C. 1987, c. 3 (<https://laws.justice.gc.ca/PDF/C-7.5.pdf>)
- *Canada-Newfoundland and Labrador Offshore Area Occupational Health and Safety Regulations*, SOR/2021-247 (<https://laws-lois.justice.gc.ca/PDF/SOR-2021-247.pdf>)
- *Canada–Newfoundland and Labrador Offshore Area Petroleum Operations Framework Regulations*, SOR/2024-25 (<https://laws-lois.justice.gc.ca/PDF/SOR-2024-25.pdf>)
- *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation and Offshore Renewable Energy Management Act*, S.C. 1988, c. 28 (<https://laws.justice.gc.ca/eng/acts/C-7.8/>)
- *Canada – Nova Scotia Offshore Area Occupational Health and Safety Regulations*, SOR/2021-248 (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2021-248/index.html>)
- *Canada–Nova Scotia Offshore Area Petroleum Operations Framework Regulations* (SOR/2024-26) (<https://laws.justice.gc.ca/eng/regulations/SOR-2024-26/index.html>)
- *Canada Shipping Act, 2001* (S.C. 2001, c. 26) (<https://laws-lois.justice.gc.ca/eng/acts/C-10.15/>)
- CAPP Safe Lifting Practice. (<http://atlanticcanadaoffshore.ca/publications/>)
- Atlantic Canada Offshore Petroleum Code of Practice for the Training and Qualifications of Offshore Personnel. (<http://atlanticcanadaoffshore.ca/publications/>)