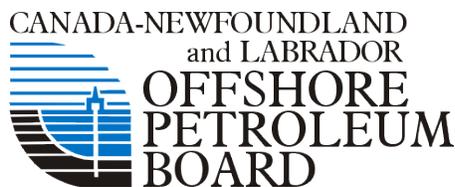


# **SPEAKING NOTES FOR SCOTT TESSIER CHAIR AND CEO, CNLOPB**

**Standing Committee on Natural Resources  
December 2, 2013**

**“Check Against Delivery”**



Good afternoon. My name is Scott Tessier and I am the Chair and Chief Executive Officer of the Canada-Newfoundland and Labrador Offshore Petroleum Board, sometimes referred to as the C-NLOPB. It is a pleasure to be here today to speak in favour of this very important Bill.

The C-NLOPB is pleased that Bill C-5 has been introduced in Parliament and we see it as a very positive development in offshore safety. In particular, we appreciate that the Bill reflects the following principles:

- Occupational health and safety laws for the Newfoundland and Labrador offshore area should be at least as stringent as those for onshore;
- Joint jurisdiction of both the federal and provincial governments is recognized, and
- Consideration has been given to an effective and efficient use of regulatory resources.

I want to acknowledge the tremendous effort that has gone into this initiative over a number of years by our staff, particularly Susan Gover and Howard Pike. They have brought great value to the development of this package through their expertise and advice to government officials.

Bill C-5 is an important piece of legislation in that it extends authority and fundamental principles of occupational health and safety to the offshore within the Accord Acts. These new amendments will provide a comprehensive legal framework to achieve the same protections for offshore workers that onshore workers currently enjoy.

The passage of this Bill into legislation would strengthen the way in which we and our colleagues in Nova Scotia conduct offshore safety activities. These amendments create a formal legislative and regulatory regime for

offshore occupational health and safety and a more effective enforcement tool kit for our officers.

One of the significant changes proposed in the Bill is that on matters related to occupational health and safety, the C-NLOPB will now report to the responsible Provincial Minister, the Minister of Service Newfoundland and Labrador. We look forward to that new working relationship.

This Bill also reflects a hierarchy of responsibility in clarifying the roles of governments, regulators, employers and employees. It recognizes that the operator is ultimately responsible for ensuring worker safety in the offshore environment.

Bill C-5 also grants the offshore petroleum boards the authority to disclose information to the public related to occupational health and safety. The C-NLOPB is committed to the principles of openness, accountability and transparency and we are committed to continuous improvement in this regard. These amendments will guide the C-NLOPB in our decision-making around information disclosure on matters of offshore safety that are in the public interest.

The C-NLOPB would also welcome the establishment of an Advisory Council with representatives from industry, governments and employees to provide advice on matters related to occupational health and safety.

As well, the new legislation will clarify any jurisdictional uncertainties respecting occupational health and safety matters, in particular the Right to Refuse and the requirement for occupational health and safety committees. The CNLOPB currently administers the provisions of the provincial Occupational Health and Safety Act on behalf of the province. Having these principles enshrined in legislation under the Accord will ensure that the Board has clearer authority to enforce all occupational health and safety requirements.

In October, the Board held its 5<sup>th</sup> Safety Forum, which provided an opportunity for stakeholders in the offshore industry to share information so that safety issues can be proactively identified and discussed. Many of the issues that arose related to matters addressed in the proposed amendments. The following day, we held our bi-annual meeting with the Joint Occupational Health and Safety Committees from each of the facilities operating offshore. The committees received an overview of the changes proposed in Bill C-5 and the response was quite positive.

An important feature of these amendments is that they ensure that the new occupational health and safety regime clearly applies to workers in transit to, from or between offshore workplaces. This would require that the federal Minister of Transportation recommend regulations related to the occupational health and safety of offshore workers in transit. Transport Canada has regulatory responsibility for vessels and helicopters, but the C-NLOPB has an important role in passenger safety with respect to offshore workers. It is therefore important that both regulatory agencies adopt a coordinated approach to safe passenger travel to and from offshore facilities.

Since the crash of Cougar Flight 491 and the establishment of the Wells Inquiry by the C-NLOPB, there have been considerable improvements to offshore helicopter passenger safety. The actions of the C-NLOPB following this tragedy have captured the interest of offshore regulators worldwide. I, along with our Chief Safety Officer, recently returned from an international offshore safety conference where we gave an overview to a very attentive audience about our progress on helicopter safety. I think it is fair to say that out of those tragic circumstances we are among the world leaders in offshore helicopter passenger safety. The proposed legislative amendments will further strengthen Canada's leadership in this area.

In response to the Wells' report, the C-NLOPB established an Implementation Team consisting of offshore workers, Operators, Cougar Helicopters and the C-NLOPB. While very good progress has been

achieved in implementing the recommendations of the Wells Inquiry, more work remains to be done by a number of stakeholders.

I will close by saying that the safety of offshore workers is always our top priority. The C-NLOPB welcomes these amendments and we will be ready to implement them once they have been passed by Parliament. I want to thank you for inviting us here today and for giving us this opportunity to speak to this important legislative proposal.