

RCC Marine Transport Working Group: Marine Transportation Security Regulations Work Plan

Canada Lead: Gerard McDonald, Assistant Deputy Minister, Safety & Security, Transport Canada
 U.S. Lead: Peter Neffenger, Vice-Admiral, United States Coast Guard, Department of Homeland Security

Preamble Text:

Align Canadian and US marine transportation security requirements to prevent duplication of services and remove impediments to cross-border operations.

Timelines and Deliverables:

Action Plan Initiative	Align marine transportation security requirements to prevent duplication of services and to remove impediments to cross-border trade.			
Deliverable outcome	Align regulatory requirements, where possible, to avoid duplication of services and to remove impediments to cross-border trade. This will include: the creation of joint priority lists for regulatory development, aligning the Canadian definition of Certain Dangerous Cargoes with that of the US, including a reference to Alternative Security Arrangements in the Canadian regulations, and developing a coordination framework to ensure ongoing regulatory harmonization.			
Action items	Action Item 1: Develop joint priority lists for regulatory development between the US Coast Guard and Transport Canada.	Action Item 2: Align the Canadian definition of Certain Dangerous Cargoes (CDC) with that of the US.	Action Item 3: Adding a reference to Alternative Security Arrangements (ASA) into the Canadian regulations with regard to Transport Canada's ability to enter into ASAs with the US Coast Guard as required.	Action Item 4: Establish protocol between the US Coast Guard and Transport Canada for ongoing regulatory alignment in the domain of marine transportation security.
	Interim Deliverables			
3-6 Months	Begin work to identify gaps between the Canadian Marine Transportation Security Regulations and the US CFR 33.	Produce drafting instructions containing the amendments to the Canadian Marine Transportation Security Regulations to align the definition of CDCs with that of the US.	Produce drafting instructions containing the amendments to the Canadian Marine Transportation Security Regulations to add a reference on Transport Canada's ability to enter into ASAs with the US Coast Guard, as required.	Identify scope and elements of a coordination framework with a view to identifying opportunities for enhanced regulatory alignment. Begin work to develop cooperation framework including determining the regulatory development process for both countries, followed by identifying the strategic points in

				each process where consultation should take place. Link to be made with overarching MOU between Transport Canada and US Coast Guard.
6-12 Months	Gaps analysis completed and results analyzed.	Produce proposed regulatory amendments for pre-publication in the Canada Gazette, Part I.	Produce proposed regulatory amendments for pre-publication in the Canada Gazette, Part I.	Approval of cooperation framework by the US Coast Guard and Transport Canada.
12-18 Months	Establish a joint Canada-US initial list of regulatory priorities for future regulatory work, including criteria which both countries can use.	Review stakeholders' comments and prepare final regulatory amendments for final publication in the Canada Gazette, Part II.	Review stakeholders' comments and prepare final regulatory amendments for final publication in the Canada Gazette, Part II.	Review the lists of regulatory priorities identified under action item 1 and proceed with the regulatory development process with a view to maximise regulatory harmonization, where appropriate.
Beyond 18 Months	Execute the regulatory development identified in the priority lists.			Introduce the amended instruments and look for further harmonization opportunities under the cooperation framework.

Contact Information:

Transport Canada: Sylvain Lachance, Executive Director, Legislative, Regulatory and International Affairs; Marine Safety and Security, sylvain.lachance@tc.gc.ca

U.S. Coast Guard: Captain Andrew Tucci, Chief of Port and Facility Compliance, Andrew.E.Tucci@uscg.mil