



## MEMBER COUNTRY PROFILE

<b>Country name</b>	Canada
<b>Organisation:</b>	Canada-Newfoundland & Labrador Offshore Petroleum Board (C-NLOPB) Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) Hereafter collectively referred to as the “Boards”
<b>Country Representative(s):</b>	C-NLOPB: Elizabeth Young, Director of Environment CNSOPB: Dena Murphy, Director of Operations / Health, Safety & Environment
<b>Primary Contact:</b>	C-NLOPB: Elizabeth Young: <a href="mailto:eyoung@cnlopb.ca">eyoung@cnlopb.ca</a> CNSOPB: Dena Murphy: <a href="mailto:dmurphy@cnsopb.ns.ca">dmurphy@cnsopb.ns.ca</a>
<b>Regime scope:</b>	<p>The C-NLOPB and the CNSOPB are currently responsible for the regulation of petroleum activities in the Canada-Newfoundland and Labrador Offshore Area and the Canada-Nova Scotia Offshore Area, respectively. The federal, Newfoundland and Labrador and Nova Scotia governments have announced the intention to expand the mandate of the offshore Boards to include the regulation of offshore renewable energy projects and this mandate expansion is anticipated to begin by the end of 2024.</p> <p>The Boards' principal responsibilities include: worker health and safety; environmental protection; issuance of exploration and production licenses; conservation of petroleum resources; geoscience data management and distribution; and industrial benefits.</p>
<b>Governance arrangements:</b>	The C-NLOPB and CNSOPB are independent, arm's length entities established under federal and provincial statutes accountable to the Parliament of Canada (Parliament) and provincial legislatures through the federal Minister of Energy and Natural Resources and the respective provincial Ministers of Natural Resources and Renewables / Industry, Energy and Technology, and Ministers responsible for Worker Health and Safety.
<b>Legislation type:</b>	C-NLOPB and CNSOPB: Mirrored Federal and Provincial Acts and Regulations, including updated Occupational Health and Safety Regulations that came into force in 2022 and new, more performance-based framework regulations that came into force in 2024.
<b>Links to relevant legislation:</b>	<a href="#">Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987</a> <a href="#">Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act</a>
<b>Extent of government approval:</b>	C-NLOPB and CNSOPB: Fundamental Decisions of the Boards pertaining to petroleum rights issuance/cancellation, prohibitions, development plans, and cessation of activities in certain instances are subject to government approval. Federal and provincial governments also appoint Board Members and approve the Boards' annual operating budgets.



**Nature of duties imposed:**

A blend of goal-oriented and prescriptive regulations, with a move towards more performance-based regulation as noted above. However, the respective Chief Safety Officers and Chief Conservation Officers may, subject to certain criteria, authorize the use of equipment, methods, measures, or standards in lieu of any required by regulation.

**Physical objects in the regime:**

Drilling of exploratory and production wells is carried out using semi-submersible drilling units, drill ships, gravity-based structures (GBSs), and sub-sea infrastructure.

In addition, the Boards regulate construction vessels, diving vessels and seismic vessels involved with oil and gas exploration and exploitation, along with vessel and helicopter passenger safety.

Projects in the Canada-Newfoundland and Labrador Offshore Area:

Four oil producing projects:

1. Hibernia – GBS integrated drilling (two rigs), production, accommodation installation
2. Terra Nova – FPSO
3. White Rose – FPSO
4. Hebron – GBS integrated drilling (one rig), production, accommodation installation

All oil is shipped by shuttle tankers, which are outside of the Boards' regulatory responsibility.

Projects in the Canada-Nova Scotia Offshore Area:

All projects and associated facilities in the Canada-Nova Scotia Offshore Area have been decommissioned and abandoned and there are no active exploration licences.

**Compliance assurance mechanisms:**

Each work or activity proposed to be carried out in an offshore area related to the exploration and drilling for and the production, conservation, processing or transportation of petroleum requires the authorization of the responsible Board, and the person holding such authorization must be in possession of a valid operating licence. There are additional work or activity-specific approvals required from the responsible Board or its Officers as defined in regulations:

- Safety Plans and Environmental Protection Plans are required to be submitted with work or activity authorization applications;
- A Certificate of Fitness from a recognized certifying authority required for installations (drilling, accommodation, diving, and production installations);
- Board inspection, verification and investigation programs;
- Industry self-inspections and audits; and
- Workplace Committee requirements.



<b>Financial basis:</b>	C-NLOPB and CNSOPB budgets are jointly approved by the Government of Canada and the relevant provincial governments. Regulations set out cost recovery associated with regulating offshore oil and gas activity from applicants and Operators on behalf of both levels of governments.
<b>Environmental regulation responsibilities:</b>	<p>The Boards are responsible for regulatory oversight of the protection of the environment by Operators during all phases of offshore petroleum activities.</p> <p>The Boards and/or the Impact Assessment Agency of Canada undertake environmental assessments of proposed projects to meet the environmental requirements set out in their respective legislation. Designated offshore oil and gas activities referenced in the <i>Physical Activities Regulations</i>, under the <i>Impact Assessment Act</i>, are subject to federal environmental/impact assessment, including:</p> <ul style="list-style-type: none"><li>• the drilling, testing, and abandonment of exploratory wells in the first drilling program in one or more exploration licences;</li><li>• construction, installation, and operation of new platforms; and</li><li>• decommissioning and abandonment of existing platforms used for oil and gas production.</li></ul> <p>In February 2020, a Regional Assessment (RA) of Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador was completed. On June 4, 2020, the Government of Canada released a Ministerial Regulation to improve the efficiency of the assessment process for exploratory drilling projects in the RA Study Area East of Newfoundland and Labrador. The Regulation provides that exploratory drilling projects in the RA Study Area are excluded from the requirement to undergo a project-specific federal Impact Assessment, subject to a set of conditions.</p>
<b>Oil spill response:</b>	<p>As part of a work or activity authorization application, an Operator is required to submit to the relevant Board a plan (or plans) for response to safety or environmentally related emergencies, including an oil spill response plan.</p> <p>In the event of a petroleum spill from its installation(s), the Operator is responsible to:</p> <ul style="list-style-type: none"><li>• take all reasonable measures consistent with safety and the protection of the environment to prevent any further spill;</li><li>• repair or remedy any condition resulting from the spill; and</li><li>• reduce or mitigate any danger to life, health, property or the environment that results or may reasonably be expected to result from the spill.</li></ul> <p>While the offshore Boards are the lead agencies for overseeing spill response in their offshore areas, numerous agencies of the federal and provincial government, depending upon the circumstances of an individual spill event, may provide advice and support to the applicable Board in its oversight of the responsible Operator.</p>



**Transparency:**

Each Board has a website where information is provided to the public, such as weekly activity reports, production reports, spill summaries, major incident bulletins and disclosures.

The federal *Access to Information Act* applies to the Boards, and is a mechanism for the public to access information held by the Board, while at the same time protecting the proprietary information of Operators.

**Research:**

The Environmental Studies Research Funds (ESRF) is an offshore oil and gas research program which sponsors environmental and social studies. It is designed to assist in the decision-making process related to oil and gas exploration and development on Canada's frontier and offshore lands. The funding for the ESRF is provided through levies on frontier lands paid by interest holders (i.e., the oil and gas companies). The ESRF Management Board includes representatives from the Boards and other prescribed stakeholders.

In addition to the ESRF, the Boards provide advice to several other research bodies and initiatives regarding offshore oil and gas research priorities and opportunities. The Boards determine eligibility of research and educational initiatives by Operators for credit against their benefits plans commitments.

**Profile date:**

April 2024