

*Message from the Senate*

the provisions of the Canada Shipping Act under the responsibility of the Minister of Transport of Canada. However, oil rigs are still the responsibility of the Minister of Energy, Mines and Resources notwithstanding the work of the royal commission, a \$15 million expenditure, and the thousands of expert witnesses who convinced Justice Allan Hickman to make this recommendation to the Government of Canada.

It is a tragedy of great proportion that the Government was not able to resolve the personality conflicts and the empire building mania in the mind of the Minister of Energy, Mines and Resources. She would not allow this little piece of her empire to be placed under the responsibility of the Minister of Transport. The decision not to place oil rigs under the jurisdiction of the Canada Shipping Act flies in the face of at least three rulings of Canadian courts, all of which have concluded that rigs are ships and, henceforth, should be under the jurisdiction of the Act.

People ask what difference it makes whether the rigs are under the jurisdiction of the Minister of Transport or the Minister of Energy. It makes a lot of difference. The royal commission on the *Ocean Ranger* disaster came to the conclusion that because of the inadequate command structure, because of the lack of regulatory procedure to be followed in terms of command structure, training procedures, and procedures followed in an emergency, and because of confusion during the disaster, lives were lost which might otherwise have been saved. The royal commission identified specific problems as contributing to the disaster. Since rigs are not covered under the Canada Shipping Act, they are not required to have licensed captains on board. In fact, even today rigs offshore Newfoundland do not have qualified and licensed captains on board. I believe that one of six of them do. The other five do not because it is not required under the guidelines of the Minister of Energy.

The royal commission report said that the main contributing factors to the disaster were lack of proper procedures for emergency, lack of manuals and technical information relating to the ballast control console, lack of adequate training programs for key personnel, lack of knowledge of the vulnerability of the rig and its ballast system and human error which can be attributed to a lack of proper training. The report said that a mistake in reaction to the malfunction of the equipment led directly to the disaster as a conclusion. Closing the deadlights in the ballast control room before the storm intensified could clearly have prevented the loss. That was not done. Knowledgeable action by the crew in dealing with the effects of the seawater on the ballast control console would have averted the tragedy. The disaster could have been avoided or, in any event, prevented by competent and informed action by those on board. Because of inadequate training, lack of manuals and technical information, the crew failed to interact in the fatal chain of events which led to the eventual loss of the *Ocean Ranger* and, tragically, of the 84 men who were on that rig.

How could this have happened? How could a \$1 billion piece of equipment with 84 human beings aboard be out in the roughest seas in the world, aside from those at the Cape of

Good Hope, improperly equipped with an improperly trained crew? It happened because from a regulatory point of view, oil and gas rigs were perceived primarily as vehicles to extract oil from under the ocean floor. They were not perceived as ships or ocean-going vessels. They were not treated in a manner in which any vessel which operates 200 miles offshore in the Atlantic should be treated. More particularly, these rigs are not like ships. They are stationary and cannot roll with the punches in a storm. They must withstand the punches.

In 1982 there was not an appropriate appreciation of the fact that this was something more than a tool for extracting oil from the ocean floor, that it was a ship operating in some of the most severe conditions to be found in the world with 84 human beings aboard. After three years of evidence and \$15 million of expenditure, the royal commission recommended that we must stop treating rigs as tools of extraction and start treating them as ships by bringing them under the jurisdiction of the Canada Shipping Act and the Minister of Transport.

I am incredibly disappointed that we have not done this for no other reason than that the Minister of Energy, Mines and Resources is not prepared to give up her jurisdiction over oil rigs which operate in the Atlantic Ocean because she does not want to give a piece of her empire to another Minister. It is tragic and sad that personal vanity can stand in the way of honestly made and sincerely held recommendations of a royal commission which spent a tremendous amount of time generating its recommendations for the Government of Canada.

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[Translation]

**MESSAGE FROM THE SENATE**

**Mr. Deputy Speaker:** I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-45, without amendment, an Act respecting employment and employer and employee relations in the Senate, the House of Commons and the Library of Parliament.

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**THE ROYAL ASSENT**

**Mr. Deputy Speaker:** I have the honour to inform the House that a communication has been received as follows:

GOVERNMENT HOUSE  
OTTAWA

27 June 1986

Sir,

I have the honour to inform you that the Honourable Gérard V.J. La Forest, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 27th day of June, 1986, at 5:00 p.m., for the purpose of giving Royal Assent to certain Bills.

Yours sincerely,  
Léopold H. Amyot  
Secretary to the Governor General