

SCHEDULE 3

CONSIDERATIONS REGARDING AUTHORIZED PERSONS

This schedule is intended to provide clarification on who should be named as the *Authorized Person* on the Ship (Bulk Oil) Membership Agreements and Ship (Non-Bulk Oil) Membership Agreements.

The *Canada Shipping Act, 2001* simply states that the on-board declaration should identify every person who is authorized to implement the arrangement with the response organization (paragraph 167(1)(b)(iii)) recognizing that to be at all effective, a spill response effort must be co-ordinated, concentrated and immediate.

Difficulty in communication increases when the ship and the person making the necessary decisions are located in different time zones. Ideally, the person or persons authorized to make financial decisions such as implementing an arrangement with a response organization should be located in the same time zone as the ship, or at the very least, on the same continent, here in North America.

The Master of the ship may or may not be one of those persons. At the time of a spill, a Master is involved in a number of on-board related activities as identified in the shipboard oil pollution emergency plan required by MARPOL, including discussions with a myriad of government agencies. Helping to co-ordinate an immediate and concentrated response outside the confines of the ship may best be left to persons other than the Master.