



# SHIP-SOURCE OIL POLLUTION FUND

The Administrator's Annual Report  
**2017-2018**

Canada

Cover Image: "Chilcotin Princess" by Chris Harris

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*Published by the Administrator of the*

Ship-source Oil Pollution Fund

Suite 830, 180 Kent

Ottawa, Ontario, Canada

K1A 0N5

Tel.: (613) 991-1726

Fax: (613) 990-5423

<http://www.sopf.gc.ca>

The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport  
Ottawa, Ontario  
K1A 0N5

Dear Minister:

Pursuant to Section 121 of the *Marine Liability Act* (MLA), I have the honour of presenting to you the Annual Report for the Ship-source Oil Pollution Fund to be laid before each House of Parliament.

The report covers the fiscal year ending March 31, 2018.

Yours sincerely,



Anne Legars, LL.M., CAE  
Administrator of the  
Ship-source Oil Pollution Fund



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# INTRODUCTION

The Ship-source Oil Pollution Fund (SOPF), a special purpose account in the accounts of Canada, is established under Part 7 of the *Marine Liability Act* (the Act) to facilitate the indemnification of claims for ship-source pollution in Canadian waters while protecting the taxpayer. Canada's compensation regime is based on the fundamental principle that the shipowner is primarily liable for oil pollution damage caused by the ship — that is, the polluter pays principle.

A fund of last resort or a fund of first resort — at the election of the claimant — Canada's national SOPF covers all classes of ships that discharge persistent and non-persistent oil, including oil spills from unknown sources which are commonly referred to as “mystery spills”. The SOPF is notably available to pay compensation for reasonable claims for oil pollution response costs, or preventive measures taken to minimize damage caused by the discharge — or the risk of a discharge — of oil from any class of ship in Canadian waters. Any occurrence caused by an oil tanker carrying persistent oil as cargo would also be covered under the international regime ([www.iopc funds.org](http://www.iopc funds.org)).

This Annual Report on the operations of the SOPF covers the fiscal year ending March 31, 2018.

## 2017-2018 AT A GLANCE

- ▶ Limit of liability per incident: **\$172 M**
- ▶ Accumulated surplus: **over \$405 M**
- ▶ Extension of Administrator's appointment and **five-year reappointment**
- ▶ **32 new claims** received (over \$7 M in total)
- ▶ Average value of claims: **\$228,824**, but 66% are less than \$50 K
- ▶ 85% of amounts claimed are from **Coast Guard**
- ▶ More claims coming from **ports and municipalities**
- ▶ Most claims come from **BC**
- ▶ Most claims are generated by **wrecks, derelict or abandoned vessels**
- ▶ Claims arising out of **ICS deployments**
- ▶ Claims for **dismantlement of steel vessels**
- ▶ **80% of assessments** performed in less than 3 months
- ▶ Amount offered: about **80% of what is claimed** (on average)
- ▶ **Municipalities got 94%** of what they claimed
- ▶ **45 files in recovery action** against shipowner
- ▶ **\$258,691** recovered from shipowners
- ▶ **Small claims form** now available
- ▶ Transboundary **liability and compensation workshop**
- ▶ Involved in **17 court cases; 5 judgments issued**
- ▶ Over **\$6 M collected in interest**
- ▶ **\$1,335,314** paid to the IOPC Fund
- ▶ Over **\$2.7 M** for payments of Canadian claims
- ▶ Some **\$1.4 M** for operating expenses

# 1. ACTIVITY REPORT

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## THE FUND'S FISCAL YEAR 2017-2018 WAS MARKED BY THE FOLLOWING EVENTS:

**Indexation of the limit of liability.** On April 1, 2017, the limit of liability of the Fund was adjusted by the Minister to \$171,692, 521 per incident for the 2017-2018 fiscal year (from \$168,656,700 the prior fiscal year), as provided under s. 110 of the Act.

**Appointments.** On May 9, 2017, the one-year appointment of the Administrator was extended for an additional eight-month term, and the Government advertised in August and September 2017 the opening of Administrator and Deputy Administrator positions under the new Governor-in-Council appointment process. Nevertheless, the Administrator continued to fulfill her duties after her appointment expired on January 10, 2018, until she was reappointed on March 26, 2018 for a five-year mandate. No Deputy Administrator had yet been appointed as of March 31, 2018.

**Record year in terms of number of claims filed with the Fund and total amount claimed.** This year was marked by an increase not only in the number, but also in the size and complexity of the claims, causing the Administrator to ramp up the number of staff and experts working for the Fund, and reconfigure the office set-up so that it could host the human resources needed.

**First assessment by the Fund of a “large” Incident Command System event.** The Fund received three claims arising from the 2015 spill from the *Marathassa* in Vancouver, with multiple heads of damage that represent a compendium of potential claims to, and assessment by the Fund. The assessment of these claims raised new challenges as it was the first time that multiple claimants had participated under the same Incident Command System.

**Introduction of a number of measures announced in November 2016, as part of Canada's Oceans Protection Plan.** The government introduced this year two federal programs to address some of the inventory of small derelict vessels, and introduced Bill C-64 (*Wrecked, Abandoned or Hazardous Vessels Act*) in Parliament. As documented by the Fund in the winter 2017, some 80% of the amounts paid to claimants by the Fund over the past decade have been caused by oil pollution (or imminent risk thereof) from derelict or abandoned vessels or wrecks. The Administrator was called to testify on February 7, 2018 before the House Standing Committee on Transport, Infrastructure and Communities.

**New web-based interface for the annual filing of contributors.** For the first time, the Administrator received this year the annual filing of the receivers of persistent oil through a web interface, which has been developed by Transport Canada. These annual filings, which were previously filed in a paper-based format, allow Canada to meet its reporting obligations under the International Oil Pollution Compensation Fund and Supplementary Fund. The Administrator still pays the Canadian contribution to these international funds in the name of Canadian contributors.

This year, for the first time, receivers of non-persistent oil also had to file information, which was processed through this same web-based interface. The collection of this data is necessary for Canada to become a party to the *International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010* (2010 HNS Convention) and its new international Fund. When this Convention enters into force, the Administrator will pay the Canadian contribution to the oil account of the new international HNS Fund in the name of all Canadian oil contributors.

## **Access to Justice Index for Federal Administrative Bodies.**

This index issued in 2017 by the Department of Justice Canada, was circulated within the Council of Federal Tribunal Chairs — of which the Administrator is a member. It identifies key criteria for access to Justice against which administrative tribunals are invited to benchmark and from which they can find inspiration for improvement in this respect. The index includes four categories, or key dimensions of Access to Justice, which are: (1) Access to the Administrative Body, (2) Processes, (3) Costs, and (4) Outcomes. These four categories are themselves subdivided in subcategories and in key elements – or key questions. This Index has helped the Administrator conceptualize and link together a number of issues that she had identified during her first year of tenure. It is a useful roadmap to fully develop the Fund as an access to justice option for the parties who have sustained oil pollution damage from ship-source

Although these events had a direct impact on the operations of the Fund during the 2017-2018 fiscal year, the driver of the Administrator's activities was the fulfilment of her statutory mandate under Part 7 of the *Marine Liability Act*, i.e.:

- ▶ Administering claims for oil pollution from ship-source in Canadian waters (section 1.1 below refers);
- ▶ Contributing to the International Funds (section 1.2 below refers);
- ▶ Causing books of account and records to be kept, control and information systems and management matters to be maintained, and providing reasonable assurance that assets of the Fund are safeguarded and that the operations of the Fund are carried out effectively (section 1.3 below refers);
- ▶ Causing the financial statements of the Fund to be audited (part 2 of this report refers), and
- ▶ Reporting on the above (section 1.4 below refers).

## **1.1. CLAIMS AND INCIDENT REPORTS FOR CANADIAN OIL SPILL INCIDENTS**

The Administrator dealt with a portfolio of 88 files during the 2017-2018 fiscal year (compared with 69 files the preceding year and 51 files on average the 10 years before). The details of the 2017-2018 files can be found in the Appendix. This portfolio includes:

- ▶ 56 claims files (from the moment a claim is received by the Administrator, to its assessment, to the offer made by the Administrator to the claimant, to the payment by the Administrator along the terms of the offer, to the recovery action by the Administrator against the shipowner, its insurer, or any responsible third party); and
- ▶ 32 incident files (from the moment the Administrator is informed of a ship-source oil spill in Canadian waters or of the imminent risk thereof, to any measure undertaken by the Administrator to protect the exposure of the Fund, to the moment a claim is actually filed in relation to this incident).

Although the delay between the filing and the settlement of a claim is only a few months, a file may carry over two or more fiscal years between the incident report stage and the end of recovery action. The oldest file still open is for a spill incident that happened in 2007 and was indemnified by the Fund in 2008. The Fund has a judgment registered against the owner, which it may eventually be able to execute.

### **1.1.1. 2017-2018 CLAIMS PORTFOLIO OVERVIEW**

**More claims.** Thirty-two claims were received during the fiscal year, compared with 16 claims the previous year and with 13.4 claims per year on average over the preceding decade. The claims received in 2017-2018 ranged from \$1,329 to \$2,431,746, for a total of

\$7,322,367 (2016-2017: \$5,429,169). This amount is the largest for any fiscal year since the inception of the Fund in 1989, even if the consumer price index is taken into consideration.

**Bigger claims.** Although two-thirds of the claims are still below \$50,000, about one-third of the claims received are now over \$100,000 – a trend that started during the fiscal year 2016-2017. Table 1 regroups the claims by amounts.

**Greater diversity of claimants.** The Canadian Coast Guard (CCG) remains the biggest claimant of the Fund, as it was the claimant in 23 out of the 32 claims

received and for 85% of the total amount claimed during the year. The remaining claimants were ports (5 claims) and municipalities (4 claims). This relative diversity in claimants is a first and it may be an indication that the outreach efforts of the Administrator's Office are starting to bear fruit. For reference, prior to this fiscal year, the SOPF had received only 4 claims from municipalities and 19 claims from ports and harbours over a period of close to three decades. As can be seen below, ports have on average smaller claims than municipalities or CCG, however, their average claim is still larger than 66% of the claims received during the fiscal year.

**Table 1: Spread of the 32 claims received in 2017-2018, by amounts**

AMOUNT OF CLAIM (\$)	NUMBER OF CLAIMS	PERCENTAGE OF CLAIMS	PREVIOUS FISCAL YEAR		PREVIOUS TEN-YEAR AVERAGE
10,000 or less	6	19	66	4	25%
10,001 to 25,000	9	28		3	19%
25,001 to 50,000	6	19		3	19%
50,001 to 100,000	0	–	1	6%	13%
100,001 to 250,000	5	16	4	25%	13%
250,001 to 500,000	2	6	0	–	
500,001 to 1M	1	3	0	–	
Over 1M	3	9	1	6%	
<b>TOTAL</b>	<b>32</b>	<b>100</b>	<b>16</b>	<b>100%</b>	<b>100%</b>

**Table 2: Spread of the 32 claims received in 2017-2018, by claimants**

CLAIMS	TOTAL	CCG CLAIMS	MUNICIPALITIES' CLAIMS	PORTS' CLAIMS
Number	32	23	4	5
Percentage	100%	71.8%	12.5%	15.7%
Value	\$7,322,367	\$6,188,565	\$827,380	\$306,422
Percentage	100%	85%	11%	4%
<b>AVERAGE VALUE PER CLAIM</b>	<b>\$228,824</b>	<b>\$269,068</b>	<b>\$206,845</b>	<b>\$61,284</b>

**Most claims still come from British Columbia.** The claims received during the fiscal year have come primarily out of British Columbia (18), followed by Newfoundland & Labrador (4), Quebec (4), Nova Scotia (3), and Ontario (3). This preponderance of British Columbia as a source of claims is consistent with the Fund's claim portfolio of the past decade and is largely due to the number of abandoned and derelict vessels present in the province.

**Most claims still come from wrecks, derelict or abandoned vessels, followed by fishing vessels.**

The claims received during the fiscal year can be regrouped by vessel type as described in Table 3. The

6 claims linked to cargo/container vessels represent a large part of the claims value (44.5%) but a very limited exposure for the Fund as the shipowners or their insurers have issued securities in favour of the Fund that cover largely for the amount claimed from the Fund with respect to the subject incidents. The wrecks, derelict or abandoned vessels represent close to half of the total amount of the claims received during the year, but these claims are huge (close to \$300,000 on average) and have historically a very low rate of recovery. By contrast, the fishing vessels represent 25% of the number of claims received but only 1.5% of the total value of the claims received.

**Table 3: Claims received in 2017-2018, by vessel type**

TYPE OF SHIP	NUMBER OF CLAIMS	PERCENTAGE OF TOTAL	TOTAL AMOUNT	PERCENTAGE OF TOTAL	AVERAGE \$ PER CLAIM
Wreck, abandonned, derelict	10	31.25	\$3,305,570.33	45.1	330,557
Fishing vessels	9	28.13	\$239,834.35	3.3	26,648
Cargo/container vessels	6	18.75	\$3,258,004.46	44.5	543,000
Tugs/barges	4	12.50	\$403,998.86	5.5	100,999
Tankers	1	3.12	\$100,649.50	1.4	100,649
Unknown (mystery spills)	2	6.25	\$14,309.65	0.2	7,154
<b>TOTAL</b>	<b>32</b>	<b>100</b>	<b>\$7,322,367.15</b>	<b>100</b>	<b>228,824</b>

**Table 4: Delay for filing claims in 2017-2018**

DELAY IN FILING A CLAIM	NUMBER OF FILES	PERCENTAGE OF FILES		TEN-YEAR AVERAGE
		2017-2018	2016-2017	
Within 6 months after the occurrence	5	15.63	31	36%
Between 6 and 12 months	7	21.88	19	44%
Between 12 and 18 months	2	6.25	12	6%
Between 18 and 24 months	15	46.87	38	14%
More than 24 months	3	9.37	0	0%
<b>TOTAL</b>	<b>32</b>	<b>100</b>		<b>100%</b>

**Longer delays in filing claims.** All the claims received during the year were filed within the relevant time limitation period; however 11 of the 15 claims submitted between 18 and 24 months were received less than one month before the two-year limit applicable in spill cases. The number of claims filed less than one year after the occurrence was less than usual.

**A record year in the number of assessments performed.** Over the fiscal year, the Fund carried out 33 assessments, and finalized the assessment of 24 claims (compared with 15 claims the previous year), of which one was carried over from 2016-2017. As of March 31, 2018, 8 out of the 32 claims received in fiscal year 2017-2018 were still being assessed. One was on hold due to negotiations of the claimant with the insurer, while another was on hold due to a pending court case. In addition, the assessment of the \$4.6 million CCG claim in the *Chaulk Determination* incident received in 2016-2017 was still pending as of March 31, 2018, while the assessment of the *Clipper Adventurer* claim filed in 2011 was still on hold while

pending in court – for which leave to appeal in the Supreme Court of Canada is being sought by the shipowner.

**80% of assessments performed in less than 3 months. Delays in assessing the largest claims.** The time to complete the assessment of claims for which no Court proceedings were involved, and the settlements offered, are summarized in Table 5.

As further reported below, the Administrator implemented in December 2017 a new policy on draft offers, to allow feedback from the claimant when there is a significant discrepancy between the amount claimed and the amount allowed, or when the assessment gives rise to a new assessment practice or policy. The issuance of a draft offer may generate additional delays in the issuance of a final offer, should the claimant elect to use the full delay granted for comments — even more so if the claimant requests an extension of time for responding to the draft offer. The claims for which a draft offer was issued are also identified in Table 5.

**Table 5: Time to assess claims and settlements offered FY 2017-2018**

MONTHS TO ASSESS	NUMBER OF ASSESSMENTS	PERCENTAGE OF ASSESSMENTS	SETTLEMENT OFFER \$	NUMBER OF OFFERS (INCLUDING NUMBER OF DRAFT OFFERS, IF APPLICABLE)
Less than one	8	33	Less than \$10,000	2
			\$10,000 to \$25,000	4
			\$25,000 to \$50,000	2
One to three	10	42	Less than \$10,000	4
			\$10,000 to \$25,000	4
			\$25,000 to \$50,000	2
Three to six	3	13	\$25,000 to \$50,000	2
			\$100,000 to \$250,000	1
Six to nine	1	4	\$50,000 to \$100,000	1 (1)
Nine to twelve	2	8	\$100,000 to \$250,000	1 (1)
			Over 1M\$	1 (1)
<b>TOTAL</b>	<b>24</b>	<b>100</b>		<b>24 (3)</b>

**Amount offered about 80% of amount claimed – an historic drop.** On average, offers amounted to 79% of the amount claimed, which is a sharp drop from the previous years, where the offers represented on average between 95 and 97% of the amount claimed. Although claimants may appeal to the Federal Court if they are dissatisfied with the offer made to them by the Administrator after their claim has been assessed, this did not happen again this year — and it has happened very rarely throughout the history of the Fund. That said, a number of CCG's acceptances this year have come with the express mention that the acceptance is not an admission or agreement with the reasons provided in the assessment. In other words, though CCG has accepted the offers this year again, it has reserved its right to disagree with the Administrator's reasons, were it to one day appeal a decision. Notably, CCG has made such reservations in files concerning the deconstruction of steel-hulled vessels.

The CCG used to be almost the sole claimant with the Fund, filing straightforward claims for preventive measures, clean-up costs or federal monitoring costs and obtaining from the Fund on average some 95-97% of the amount claimed. However, the CCG filed this year a number of huge claims which involved new types of damages, including damages incurred within an ICS context with several claimants having contributed to the same operations, or claims for costs of deconstruction of vessels that were not wooden vessels. The offers made with respect to these claims were markedly below CCG's historic 95-97% success rate. In addition, a number of first-time claimants (ports and municipalities) brought claims to the Fund, and the ratio of their claim amounts that were allowed was slightly below the historic success rate of the CCG.

**Files paid during the fiscal year.** Twenty-four claims were paid this year or offered a payment for a total of \$2,711,090 (\$112,962 per claim on average)

**Table 6: Ratio of amount offered and paid vs claimed by type of claimant**

CLAIMANTS	OFFERED VS. CLAIMED	PAID (INCLUDING INTEREST) VS. CLAIMED	CLAIMED VS. OFFERED: REASON FOR DIFFERENCE
All	79%	85%	See below
CCG	78%	84%	Costs of dismantling derelict/abandoned vessels or wrecks Unnecessary/excess personnel for the task/duplication of efforts with other responders (ICS) Unnecessary/unreasonable measures Unreasonable costs of necessary/reasonable measures Ineligible costs (public relations costs) Undocumented costs
Municipalities	91%	94%	Undocumented costs Unreasonable costs
Ports	86%	91%	Duplication of efforts with other responders (ICS) Ineligible costs (public relations costs) Unreasonable costs

(2016-2017: 31 claims paid, for a total of \$3,166,273, or \$102,138 per claim on average). This and the previous fiscal year are each twice the prior ten-year (2006-2016) average in terms of number of claims paid, and three times the ten-year average per claim paid (\$39,029).

**Increased amounts recovered.** Forty-five files were at various stages of recovery action during the fiscal year (compared with 31 files the previous year, which was a record year for the number of files in recovery action), from demand letters, to court actions, to asset realization, or registration of the judgment against the eventual property of the debtor, and five settlements were reached with the shipowner or his insurer (vs. 2 in 2016-2017). In total, the Administrator was able to recover some \$258,691 (2016-2017: \$102,250) through these 45 files in recovery action (the ten-year average for recovery is about \$39,948). As of April 1<sup>st</sup>, 2018, the Fund still had 32 files in recovery action, the remainder having been closed.

In claims where the responsible shipowner is clearly known, the services of legal counsel may be obtained for recourse action. In some situations involving abandoned and derelict vessels the name of the shipowner is not always readily available. In these instances, when it is necessary to trace the name and location of the registered owner and identify assets that may be available for recovery purposes, the Administrator may obtain the services of a professional locator firm. The efforts deployed from the Administrator in recovery action and the number of files in recovery action this year led to increased asset location costs and legal costs.

**Challenges and opportunities with respect to claims management.** The former annual report identified a number of challenges and opportunities with respect to claims management: small claims; readiness for indemnification of large spills; readiness for indemnification of border spills; compensation of claims arising out of an ICS System deployment. In addition, claims for the dismantlement of ships, as well as the optimization of the Fund as an alternative for access to justice for potential claimants, have emerged as new challenges and opportunities for the Administrator.

► **Small claims.** In order to facilitate the burden of documenting a small claim, the Administrator's Office has developed a small claims form, which is posted on the Fund's website. Claimants must still attach supporting documentation. In addition, a small claims form for claims under \$15,000 filed by the CCG has also been developed, which does not require the attachment of supporting documentation, but must be filed under the attestation of the Regional Assistant Commissioner of the Coast Guard under section 34 of the *Financial Administration Act*. Such claims will be subject to CCG internal audit and to SOPF verification (sampling). When needed — especially for recovery action purposes, the Administrator may still require all supporting documentation. This pilot project is being tested with CCG before it is fully launched.

► **Readiness for the indemnification of large spills.** The work with international partners (International Group of P&I Clubs and International Oil Pollution Funds) in pre-planning collaboration in indemnification of claimants in case of a large spill in Canadian waters, was undertaken in 2016. Progress was slowed down in 2017-2018 pending announced amendments to the *Marine Liability Act* as part of Canada's Oceans Protection Plan, which had not yet been introduced as of the end of the fiscal year. Work with our international partners in indemnification will resume when such amendments are introduced and all such partners can have a better understanding of what the upgraded Canadian regime will look like.

► **Readiness for the indemnification of border spills.** Following preliminary discussions with the Oil Spill Liability Trust Fund (OSLTF) – the US counterpart to the SOPF – , the Administrator held a three-day Transboundary Liability and Compensation workshop with the OSLTF in Ottawa, in November 2017. The Canadian and US Coast Guards were also in attendance as the workshop built on a border spill table top exercise and scenario, and on the most recent iteration of the Canada-US Joint Marine Pollution

Contingency Plan. The Fund's international partners in indemnification were also in attendance, as well as Transport Canada, the regulator of Canada's marine liability regime. This workshop is likely the first of a series, with the progressive incorporation of additional layers of complexity. It is clear that all the partners in indemnification and compensation have a strong appetite for working together towards the fluid compensation of claims arising out of a spill at the marine border, in case such an incident occurs.

► **Compensation of claims arising out of an Incident Command System (ICS) deployment.**

Several claimants involved in the same ICS deployment filed their claims with the Fund this year. Although the Administrator's Office started to assess these claims separately, it eventually had to assess them jointly, especially with respect to the elements of these claims that were based on the ICS. This was the first time that the Administrator had to process several claims imbricated in a joint ICS deployment, which raised a number of assessment issues. When all the claims have been settled, the Administrator intends to hold a *post mortem* with all relevant key stakeholders, so that appropriate guidance can be developed for future cases involving an ICS deployment.

► **Claims for the dismantlement of ships.** The

Fund pays for oil pollution costs and damages and not for the deconstruction of vessels, except when the subject vessel is so impregnated with oil that it has become an oily waste, which may happen with old wooden vessels. The Administrator received this year a number of claims that included the cost of deconstructing vessels, including files for the deconstruction of steel vessels. In her assessment of such claims, the Administrator attempted to delineate the costs linked to oil pollution versus the costs linked to vessel deconstruction, based on the evidence provided. As a result, the offers were

much lower than the amounts claimed for. The issue of the delineation of the oil pollution liability regime vis-à-vis the wreck removal liability regime and vessel deconstruction is currently a hot topic between the Administrator and the CCG as a claimant, which will certainly generate further developments during the upcoming year.

► **The Fund as an alternative way for access to justice for claimants.** The reflection amongst administrative tribunals about the multiple dimensions of access to justice has led the Administrator to assess her Office's practices and procedures in this respect. It has also led her to introduce this year a number of new policies and practices, such as:

- Systematically reminding claimants two weeks before the expiry of the offer that if they do not respond within the 60-day delay, they will be statutorily deemed to have refused the offer;
- Sending a Draft Offer to a claimant in case of a huge discrepancy between the amount claimed and the amount found to be eligible, so that the claimant has the opportunity to provide additional comments or information and correct the record on which the final offer will be issued;
- Holding a series of webinars in English and in French on how to file a claim, so that potential claimants can better understand the type of documentation requested;
- Developing small claims forms and posting them on its website.

Much more has to be done, however, in order to optimize the role of the Fund as an alternative way for access to justice, and this will be a priority for the upcoming fiscal year.

## **1.1.2. 2017-2018 INCIDENT REPORTS OVERVIEW**

**Incident reports.** Twenty-four incident reports were carried over from the previous fiscal year. Out of these 24 incidents, 6 claims were filed in 2017-2018 (2016-2017: 5). In addition, the Fund opened 12 new incident reports during the year. In order to protect its potential exposure, the Administrator mandated a marine expert in some of these cases, or appointed one of its counsels to take protective measures, such as the issuance of a financial security by the shipowner and/or its insurer (4 cases in 2017-2018 compared to 3 cases in 2016-2017).

**Increase in incident reports turning into claims to the Fund for insured ships.** Incidents where an insured vessel is at stake would normally not turn into claims with the Fund as the ship's insurer will indemnify the claimant directly. Incidents involving uninsured vessels, particularly abandoned and derelict vessels, are the most likely to turn eventually into claims with the Fund. This year was however atypical in this respect, as 12 new claims were filed with the Fund although the subject vessel had third party liability insurance: the claimants did not know about this coverage or were not able to reach an agreement with the insurer before the deadline for filing a claim with the Fund – the deadline for filing a claim with the Fund being one year shorter than the deadline for filing a claim against the shipowner or its insurer. The fact that there was an insurer in the background was however instrumental in the Administrator having a successful recovery action afterwards.

**Challenges and opportunities.** The Fund's involvement in cases where the ship is insured might help the claimant obtain compensation without having to go to Court. The polluter, via its insurance, remains the ultimate payer, and the Fund rather than the claimant bears the cost of the interface with this ultimate payer. One of the side effects of this new trend, however, is that it is the Fund, rather than the insurer, who bears the cost of assessing the claim – a cost that can be pretty significant in case of large claims, involving experts' and lawyers' time.

## SOPF COURT CASES IN 2017-2018

The Fund was involved in  
17 court cases in 2017-2018:

- ▶ one referral with the CCG to the Federal Court of Canada about the release and subrogation issue (*Maryjack*),
- ▶ 4 claims against a ship and those having an interest in the ship, introduced before any money had yet been paid to claimants (*Investigator, Arca I, Warren L. II and Marlene Wright, Marathassa*)
- ▶ 11 claims in recovery action against shipowners (*Chilcotin Princess, Elva M II, Spudnik, Elf, Crown Forrest 84-6, Matterhorn, Cape Rouge, Cormorant, Farley Mowat, Lady Young via her sistership My4Boys, Baffin Sound*)
- ▶ as party by statute in an action between a shipowner and the Crown (*Clipper Adventurer*)

Out of these 17 court files, 5 judgements were issued during the fiscal year, two having precedential value.

## JUDGMENTS OF PRECEDENTIAL VALUE

### 1. Canada v Adventurer Owner Ltd, 2017 FC 105 (*Clipper Adventurer*), aff'd 2018 FCA 34

The shipowner and the Crown were suing each other for damages caused to/by the *Clipper Adventurer* when it ran aground on an uncharted shoal in the Arctic. The issue was whether the Crown had any duty to warn and, if it did, whether its duty was discharged. The Fund was party by statute, pursuant to s. 109 of the *Marine Liability Act*. The Federal Court held that the Crown had fulfilled its duty to warn and granted the Crown counterclaim for damages (the amount of which had been settled out of Court). Admiralty interest was granted, rather than the rate prescribed under s. 116 of the *Marine Liability Act* which applies only to claims by, to, or against the Fund. The Federal Court of Appeal dismissed the shipowner's appeal. The shipowner has since applied for a leave to appeal to the Supreme Court of Canada.

### 2. The Administrator of the Ship-source Oil Pollution Fund v Canada, 2017 FC 530

This was an application, pursuant to section 18.3 of the *Federal Courts Act*, for a Reference in which the Administrator and Canadian Coast Guard asked the Federal Court to determine whether the Administrator could "require a claimant to execute a release and subrogation agreement as a condition precedent to payment of their claim". The question turned on the interpretation of s. 106(3) of the *Marine Liability Act*. The Federal Court – agreeing with CCG – held that the Administrator could not impose such a release as a condition precedent to payment. Section 106(3)(a) of the *Marine Liability Act* stipulates that, once an Offer of Compensation made by the Administrator is accepted, the Administrator shall pay the claimant without delay. No discretion or other steps are built in by the statute.

## OTHER JUDGMENTS

### 1. The Administrator of the Ship-source Oil Pollution Fund v Wilson et al, 2017 FC 796

This was a motion in writing for default judgment, before the Federal Court, upon recovery action brought by the Administrator for oil pollution damage caused by the Defendants' ship *Spudnik* (SOPF File 120-665-C1). The Court found the Defendants in default and granted judgment in favour of the Administrator, finding that, on the face of the record, the Defendants were liable to the Administrator in the amount claimed by virtue of s. 77 of the *Marine Liability Act*.

### 2. The Administrator of the Ship-source Oil Pollution Fund v Beasse, 2018 FC 39

This was a motion for summary judgment, before the Federal Court, for a determination of liability and payment of the Administrator's subrogated claim for pollution clean-up related to/surrounding the two sinkings of the tug *Elf* (SOPF File 120-646-C1).

The Defendant pleaded as a defense that the first sinking of the *Elf* resulted from the deliberate act of a third party. However, because the *Elf* sank again in Canadian Coast Guard custody, the Defendant pleaded he was unable to present evidence of tampering by a third party and therefore fairly defend himself – also known as spoliation. The Court found that the Defendant had failed to lead any evidence or put his best foot forward, making his claims purely speculative. Accordingly, the Court stated that there was no genuine issue for a trial; the *Elf*'s owners were strictly liable for the oil pollution damage caused by their ship. The Court ultimately granted summary judgment to the Administrator.

### 3. The Administrator of the Ship-source Oil Pollution Fund v Massey, T-1124-17 (unreported)

This was a motion for default judgment in writing before the Federal Court in relation of the pollution incident caused by the *Elva M II*. The Administrator's motion was supported by affidavit evidence of the events and the costs incurred, and included the amount paid out to the Stevenson Harbour Authority and Canadian Coast Guard. The Court found the Defendant in default and granted the motion and underlying action of the Administrator.

## 1.2. CONTRIBUTION TO THE INTERNATIONAL FUNDS

### Attendance at the International Funds' meetings.

The Administrator attended the Spring and Fall 2017 meetings of the IOPC Funds in London. Key topics of discussion and decision included levels of international payments in a number of tanker spills in countries parties to the conventions, additional contributions from member countries to cover for these payments, the adoption of new *Environmental Damage Guidelines* as well as the *Criteria for the admissibility of claims by employees who have suffered a reduction*

*in wages, been placed on part-time work or been made redundant as a consequence of an incident.* As a matter of policy, the Administrator applies to the assessment of all SOPF cases — including incidents that do not involve tankers carrying persistent oil — the same assessment principles and guidelines that have been adopted by the IOPC Funds for tankers carrying persistent oil. These new Guidelines and Criteria adopted by the IOPC Funds will therefore be used by the Administrator in the assessment of environmental damage and for losses of earnings suffered by employees.

The full report of the IOPC Funds discussions and the relevant supporting documentation are available online on the IOPC Funds website ([www.iopcfunds.org](http://www.iopcfunds.org)).

#### **Collection of the data from Canadian contributors.**

The Administrator is responsible for ensuring that the Canadian receivers of crude oil by water (150,000 tonnes minimum on an annual basis) provide their return on the quantities received. The Administrator may follow-up on the information received and inquire on significant variances over the preceding year, before reporting Canadian data to the Secretariat of the International Fund. This year, the filing of the Canadian receivers' reports was done through a new web interface.

**Payment of the Canadian contribution to the International Funds.** On the basis of the Canadian data provided by the SOPF in the Spring of 2017 and of the IOPC Funds financing needs agreed at the November 2017 London meetings, the SOPF paid this year a \$1,335,314 Canadian contribution to the International Funds (2016-2017: \$870,705.76). Because Canada is a member State of the IOPC Funds, an oil spill incident in Canadian waters involving a tanker carrying persistent oil would allow claimants to have access to over \$1 billion in compensation from the International Funds, in addition to the shipowner's and the SOPF's respective limits of liability — for a total compensation of about \$1.5 billion from all sources.

**Challenges and opportunities.** As mentioned above, it has been the policy of the Fund's Administrators to align themselves to the extent possible on the guidelines and decisions of the IOPC Funds, including for non-tanker spills and other oil spill claims that are not covered by the IOPC Funds regime. The project to bring additional clarity on this connection between the Canadian and the international regimes to the benefit of claimants, shipowners and their insurers, is still in the works.

Canada ratified in April 2018 the *International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea*, as amended by its 2010 Protocol (2010 HNS Convention). The *Marine Liability Act* had already been amended for that purpose, and new regulations entered into force in December 2016 provide for the collection of national data which is a prerequisite to the ratification. When the Convention enters into force, the Administrator will provide the Canadian data on crude oil imports by water (above a 150,000 tonnes threshold) as well as Canadian data on oil products imports by water (above a 17,000 tonnes threshold) to the new HNS Fund. In case of damage caused by any HNS substance, Canadian claimants will have access to a new international fund, the HNS Fund, in addition to the shipowner's maximum limit of liability, which will be mandatorily covered by insurance with a right of direct access for claimants. More information on the 2010 HNS Convention can be found on the Convention's website ([www.hnsconvention.org](http://www.hnsconvention.org)).

### **1.3. OFFICE MANAGEMENT AND CONTROLS**

**Fine-tuning of the allocation of expenses between the SOPF and the Rail Fund as per the SOPF-Rail Fund MOU.** The SOPF has been hosting the new Fund for Railway Accidents Involving Designated Goods (Rail Fund) since the inception of the latter. The premises rented by the SOPF and the staff hired by the SOPF are shared in part with the Rail Fund, and a MOU signed between the two Funds on March 31, 2017 itemizes the resources shared and the financial conditions under which they are shared. Under this MOU, the Administrator of the SOPF bills the Rail Fund at the end of the fiscal year for the use of SOPF staff, premises and other shared resources. One of the key elements of the calculation is the proportion of staff time spent on each fund over the relevant fiscal

year. In order to be able to establish this proportion, the Administrator of the SOPF has implemented time sheets for staff to report on time spent on the Rail Fund. This fiscal year was the second year of operation of the MOU. With the increased activity of the Rail Fund, its share of the common resources used, which are paid back to the SOPF at the end of the fiscal year, increased. The MOU has therefore been amended for the upcoming fiscal year so that 1/12<sup>th</sup> of the past year's invoice be paid on a provisional basis by the Rail Fund to the SOPF at the end of each month, with the actual amount being adjusted at the end of the fiscal year. Interests accrue on the balance of each Fund at the end of each month, and waiting for the end of the fiscal year to bill for the shared services distorts interest calculations for both Funds.

**Institutionalization of the student program.** The Office of the Administrator has formalized its student program and posted it on its website after having hosted its first student in fiscal year 2016-2017. Two new students were hosted under this program during fiscal year 2017-2018: one articling student for the Quebec Bar, and one history student from Trinity Western University, BC, who produced a report entitled *Analysis of the History of Incidents Involving Interaction Between Indigenous Peoples and the Ship-source Oil Pollution Fund*. This research project is a first step in trying to identify what is at stake with the presence of indigenous groups in the Fund's incident files, and to set the stage for the Administrator's outreach to - and engagement with - indigenous communities. The report is available on the SOPF website.

**Increased resources for an increased level of activities.** The increased level of activity this year, not only in the number and value of the claims under assessment, but also in recovery action and in outreach activities, has led to the recruitment of additional in-house and *ad hoc* external resources.

This has coincided with an increase of activity of the Fund for Railway Accidents Involving Designated Goods, which – as mentioned above – shares the same Administrator, premises, and most staff. The workspace had to be redesigned to accommodate more workstations and staff. As a consequence, the Office of the Administrator is now a pretty full house.

**Challenges and opportunities: managing further growth.** Additional growth in activity will have to be managed through new human resources strategies. A bank of local/regional marine experts has been recruited to meet growing needs, and more work for the Fund will be carried outside of the Administrator's Office, through telework and outsourcing. Management policies and processes will have to ensure the integrity of information management practices, consistency of assessment approaches, as well as shared vision and corporate culture.

## 1.4. REPORTING AND COMMUNICATIONS

In addition to the Administrator's activities in 2017-2018 that have been already reported above, the Administrator's Office has also carried out a number of outreach activities.

**Intensification of outreach activities.** It is always a surprise to realize how little the Fund is known by its key stakeholders across Canada. Reaching out to its key stakeholders, and more particularly to its main segments of potential claimants, has been a leading theme for the Administrator throughout the year. Delivery of outreach efforts has accelerated in the second half of the fiscal year, after additional resources were recruited to ensure that outreach activities would not distract Office resources from the primary mandate of the Administrator, which is to diligently assess the

## OUTREACH TO SOPF MAIN STAKEHOLDERS

The **Canadian Coast Guard** (as main user of the Fund), through meetings and communications at various levels, including a webinar to trainees in Environment Response management;

The **marine insurance industry** (through attendance at the annual conference of the Canadian Board of Marine Underwriters in May 2017 and through attendance at marine industry events);

The **maritime legal community** (especially through the activities of the Canadian Maritime Law Association),

The **shipping industry** (through attendance at industry events and presentations or webinars to various shipping industry groups);

**Canadian port authorities**, by delivering in August 2017 a webinar on how to file a claim with the Fund to harbour masters of members of the Association of Canadian Port Authorities and having a kiosk at and attending the annual conference of Canadian port authorities in Vancouver in September 2017.

The **SOPF international partners** (notably the IOPC Funds' Secretariat, the International Group of P&I Clubs, ITOPF, the Oil Spill Liability Trust Fund and the US Coast Guard, though meetings in London, at the International Oil Spill Conference in Long Beach, and the Transboundary Liability and Compensation Workshop in Ottawa in November 2017)

The **media** (through a number of interviews and answers to queries);

**Elected officials** (by testifying in the House Committee on Transportation on Bill C-64 on February 7, 2018);

**Academics** (by delivering lectures at University of Ottawa Law Faculty).

**Transport Canada** (through meetings and communications at various levels).

claims filed with the Fund. In order to maximize the use of resources dedicated to this outreach effort, the two Funds (SOPF and Rail Fund) have reached out jointly to their common stakeholders (see boxes).

**Challenges and opportunities: beyond outreach, engagement.** Beyond a website and the publication and dissemination of the annual report, beyond outreach activities themselves, the Administrator considers stakeholder engagement as the best way to ensure that the Fund is and remains relevant and efficient, i.e. that it meets its access to justice purpose. The next step in this direction will be to capture the

Fund's assessment policies, practices and guidelines and make them public and open to comment by stakeholders so that they can serve the needs of the various types of claimants and stakeholders – within the boundaries of the Act.

## **FRAIDG & SOPF JOINT OUTREACH ACTIVITIES 2017-2018**

**May** – Montreal – Presentation at CILTNA,  
Chartered Institute of Logistics and Transport

**May** – Long Beach – Attendance at the  
International Oil Spill Conference

**June** – Ottawa – Initial meeting with  
Eastern Canada Response Corporation

**September** – Vancouver – Information booth  
at the annual conference of the Association of  
Canadian Port Authorities

**September** – Vancouver – Initial meeting  
with the Union of BC Municipalities

**September** – Vancouver – Initial meeting  
with the Western Canada Marine Response  
Corporation

**February** – Initial teleconference meeting  
with the Canadian Association of Municipal  
Administrators

**March** – Victoria – Presentation to the  
Province of British Columbia Ministry of  
Environment & Climate Change Strategy

**March** – Vancouver – Follow-up  
meeting with the Union of BC Municipalities

## 2. FINANCIAL REPORT

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During the fiscal year, the Fund collected \$6,179,165 in interest (2016-2017: \$3,214,795). It also recovered \$258,691 from shipowners responsible for pollution, or from their insurers (2016-2017: \$102,250). Therefore, the Fund was credited for a total of \$6,437,856 over the year (2016-2017: \$3,317,045).

During that period, the Fund's expenses rose to \$5,530,398 (vs. \$7,113,409 in 2016-2017) of which \$1,464,318 were for operating expenses (compared to \$1,107,992 the previous year), \$1,335,314 for contributions to International Funds (compared to \$870,706 the previous year) and \$2,731,366 for Canadian claims (payment or commitments made, and increase in the provision for claims under review). The amount for Canadian claims was \$5,134,771 the previous year.

At the end of the fiscal year, the Fund had an accumulated surplus of \$405,609,031 (compared to \$404,702,173 at the end of the previous fiscal year).

The Auditor's Report is included in the attached Financial Statements.

**SHIP-SOURCE OIL POLLUTION FUND**

**FINANCIAL STATEMENTS**

**MARCH 31, 2018**

## **SHIP-SOURCE OIL POLLUTION FUND**

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## INDEPENDENT AUDITOR'S REPORT

To the Administrator of  
Ship-source Oil Pollution Fund

We have audited the accompanying financial statements of the Ship-source Oil Pollution Fund, which comprise the statement of financial position as at March 31, 2018, the statements of operations, change in net financial assets and cash flows for the year then ended, as well as a summary of significant accounting policies and other explanatory information.

### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Public Sector Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



**OTTAWA**  
400-1420 place Blair Place  
Ottawa ON K1J 9L8

Comptables professionnels agréés  
Chartered Professional Accountants

T 613 745-8387  
F 613 745-9584

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**Marcil-Lavallee.ca**

*Opinion*

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Ship-source Oil Pollution Fund as at March 31, 2018, as well as the results of its operations, its change in net financial assets and its cash flows for the year then ended in accordance with Public Sector Accounting Standards.

*Budget*

As explained in Note 10 to the financial statements, budget figures are not disclosed in the financial statements, although it is required according to Public Sector Accounting Standards.

A handwritten signature in black ink, appearing to read "Marcil Lavallée".

Chartered Professional Accountants, Licensed Public Accountants

Ottawa, Ontario  
May 24, 2018

Marcil Lavallée

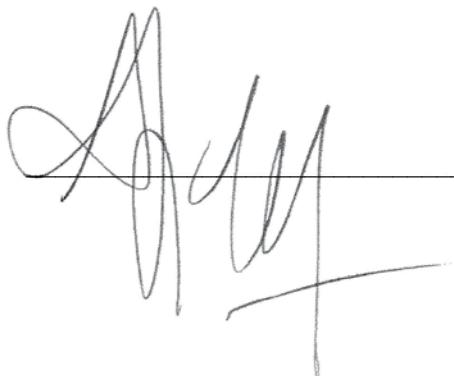
# SHIP-SOURCE OIL POLLUTION FUND

## STATEMENT OF FINANCIAL POSITION

MARCH 31, 2018

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	2018	2017
<b>FINANCIAL ASSETS</b>		
Balance of the account with Receiver General for Canada (Note 3)	\$ 411,738,432	\$ 409,178,813
Accrued interest receivable	<b>664,101</b>	381,873
Recoveries of previously awarded settlements receivable	<b>57,000</b>	-
Advances to the Fund for Railway Accidents Involving Designated Goods	-	32,531
<b>TOTAL FINANCIAL ASSETS</b>	<b>412,459,533</b>	409,593,217
<b>LIABILITIES</b>		
Accounts payable and accrued liabilities	304,972	243,642
Provision for claims under review (Note 4)	<b>6,676,620</b>	4,708,962
<b>TOTAL LIABILITIES</b>	<b>6,981,592</b>	4,952,604
<b>NET FINANCIAL ASSETS</b>	<b>405,477,941</b>	404,640,613
<b>NON-FINANCIAL ASSETS</b>		
Capital assets (Note 5)	131,090	61,560
<b>ACCUMULATED SURPLUS</b>	<b>\$ 405,609,031</b>	\$ 404,702,173



, Administrator

# SHIP-SOURCE OIL POLLUTION FUND

## STATEMENT OF OPERATIONS

**FOR THE YEAR ENDED MARCH 31, 2018**

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	2018	2017
<b>REVENUE</b>		
Interest	\$ 6,179,165	\$ 3,214,795
Recoveries related to previously awarded settlements	258,691	102,250
	<b>6,437,856</b>	<b>3,317,045</b>
<b>CLAIMS</b>		
Payments or commitments made towards Canadian claims	763,708	1,697,699
Increase of provision for claims under review	1,967,658	3,437,072
International Oil Pollution Compensation Funds Contributions (Note 6)	1,335,314	870,706
	<b>4,066,680</b>	<b>6,005,477</b>
	<b>2,371,176</b>	<b>(2,688,432)</b>
<b>OPERATING EXPENSES</b>		
Administrative services, salaries and office expenses (Schedule A)	531,847	338,298
Legal fees	261,877	232,085
Consulting fees (Schedule B)	308,922	204,799
Rent	159,499	164,301
Administrator's fees	98,450	89,100
Travel	49,027	41,744
Audit fees	16,046	15,820
Amortization of capital assets	38,650	21,845
	<b>1,464,318</b>	<b>1,107,992</b>
<b>EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES</b>		
	<b>906,858</b>	<b>(3,796,424)</b>
<b>ACCUMULATED SURPLUS, BEGINNING OF YEAR</b>	<b>404,702,173</b>	<b>408,498,597</b>
<b>ACCUMULATED SURPLUS, END OF YEAR</b>	<b>\$ 405,609,031</b>	<b>\$ 404,702,173</b>

**SHIP-SOURCE OIL POLLUTION FUND****STATEMENT OF CHANGE IN NET FINANCIAL ASSETS****FOR THE YEAR ENDED MARCH 31, 2018****5**

	<b>2018</b>	<b>2017</b>
<b>EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES</b>	<b>\$ 906,858</b>	<b>\$ (3,796,424)</b>
Acquisition of capital assets	(108,180)	(9,348)
Amortization of capital assets	38,650	21,845
	<b>(69,530)</b>	<b>12,497</b>
<b>INCREASE (DECREASE) IN NET FINANCIAL ASSETS</b>	<b>837,328</b>	<b>(3,783,927)</b>
<b>NET FINANCIAL ASSETS, BEGINNING OF YEAR</b>	<b>404,640,613</b>	<b>408,424,540</b>
<b>NET FINANCIAL ASSETS, END OF YEAR</b>	<b>\$ 405,477,941</b>	<b>\$ 404,640,613</b>

# SHIP-SOURCE OIL POLLUTION FUND

## STATEMENT OF CASH FLOWS

**FOR THE YEAR ENDED MARCH 31, 2018**

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	<b>2018</b>	<b>2017</b>
<b>OPERATING ACTIVITIES</b>		
Excess (deficiency) of revenue over expenses	\$ 906,858	\$ (3,796,424)
<b>Adjustment for:</b>		
Amortization of capital assets	<u>38,650</u>	21,845
	<u>945,508</u>	(3,774,579)
<b>Net change in non-cash working capital items:</b>		
Accrued interest receivable	(282,228)	(179,375)
Recoveries of previously awarded settlement receivable	(57,000)	-
Advances to the Fund for Railway Accidents Involving Designated Goods	32,531	(32,531)
Prepaid expenses	-	1,730
Accounts payable and accrued liabilities	61,330	(1,610,766)
Provision for claims under review	<u>1,967,658</u>	3,437,072
	<u>1,722,291</u>	1,616,130
<b>INVESTING ACTIVITY</b>		
Acquisition of capital assets	(108,180)	(9,348)
<b>INCREASE (DECREASE) IN BALANCE OF THE ACCOUNT WITH THE RECEIVER GENERAL FOR CANADA</b>		
	2,559,619	(2,167,797)
<b>BALANCE, BEGINNING OF YEAR</b>	<b>409,178,813</b>	411,346,610
<b>BALANCE, END OF YEAR</b>	<b>\$ 411,738,432</b>	\$ 409,178,813

# **SHIP-SOURCE OIL POLLUTION FUND**

## **NOTES TO THE FINANCIAL STATEMENTS**

**MARCH 31, 2018**

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### **1. GOVERNING STATUTES AND PURPOSE OF THE ORGANIZATION**

The Ship-source Oil Pollution Fund (the Fund) was created on April 24, 1989 by amendments to the *Canada Shipping Act* and succeeded the Maritime Pollution Claims Fund. The Fund is governed by Part 7 of the *Marine Liability Act* (MLA) as modified by Statutes of Canada, 2009, Chapter 21.

### **2. SIGNIFICANT ACCOUNTING POLICIES**

#### **Basis of accounting**

The financial statements are prepared in accordance with Treasury Board accounting policies which are consistent with Public Sector Accounting Standards.

#### **Accounting estimates**

The preparation of financial statements in accordance with Treasury Board Secretariat accounting policies, which are consistent with Public Sector Accounting Standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and the reported amounts of revenue and expenses for the periods covered. The primary estimate relate to the valuation of provision for claims under review. Actual amounts could differ from the estimates.

#### **Revenue recognition**

Interest income is recognized as revenue when it is earned. Recoveries related to previously awarded settlements are recognized when they are received.

#### **Capital assets**

Capital assets are recorded at cost. Capital assets are amortized over their estimated useful lives according to the straight-line method over the following periods:

Computer equipment	3 years
Furniture and equipment	10 years
Leasehold improvements	Remaining term of lease

#### **Recognition of the provision for claims under review**

Provisions for indemnification claims are estimated and recognized when a formal claim is submitted by the claimant and is duly received by the Fund.

#### **Recognition of the Contributions to the International Oil Pollution Compensation Funds**

The Fund recognizes its contributions to the International Oil Pollution Compensation Funds when the contributions are determined and requested by the International Oil Pollution Compensation Funds.

#### **Foreign currency translation**

Transactions involving foreign currencies are translated into Canadian dollars using rates of exchange in effect at the time of these transactions.

# SHIP-SOURCE OIL POLLUTION FUND

## NOTES TO THE FINANCIAL STATEMENTS

MARCH 31, 2018

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### 3. BALANCE OF THE ACCOUNT WITH THE RECEIVER GENERAL FOR CANADA

The cash balance of the Fund is held within the Consolidated Specified Purpose Accounts of the Government of Canada. Public Works and Government Services Canada acts as the custodian of this cash balance and Transport Canada performs the various transactions on behalf of the Fund. Interest is credited to the account in accordance with the provisions of the MLA at a rate based on a 5-year Government of Canada bond interest rate, calculated monthly. The interest rates varied between 0.89% and 2.00% during the year (2017: 0.52% and 1.13%). The average interest rate for the year ended March 31, 2018 was 1.51% (2017: 0.79%).

### 4. MEASUREMENT UNCERTAINTY

Due to uncertainties inherent to the claims review process, it is possible that the provision for claims under review is insufficient. Accordingly, a provision of \$6,676,620 for claims received prior to March 31, 2018 (2017: \$4,708,962) but not completely reviewed by that date has been calculated and recorded in the books. This provision is based on management's estimate and supported by claims payment historical data. All subsequent adjustments due to further investigation will be recognized in the year in which the claims are reviewed.

### 5. CAPITAL ASSETS

	2018		
	Cost	Accumulated amortization	Net book value
Computer equipment	\$ 170,382	\$ 159,980	\$ 10,402
Furniture and equipment	235,291	151,248	84,043
Leasehold improvements	530,176	493,531	36,645
	<b>\$ 935,849</b>	<b>\$ 804,759</b>	<b>\$ 131,090</b>

	2017		
	Cost	Accumulated amortization	Net book value
Computer equipment	\$ 159,083	\$ 154,847	\$ 4,236
Furniture and equipment	185,555	131,483	54,072
Leasehold improvements	487,418	484,166	3,252
	<b>\$ 832,056</b>	<b>\$ 770,496</b>	<b>\$ 61,560</b>

# **SHIP-SOURCE OIL POLLUTION FUND**

## **NOTES TO THE FINANCIAL STATEMENTS**

**MARCH 31, 2018**

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### **6. CONTINGENCIES**

The Ship-source Oil Pollution Fund may be required to make contributions to the International Oil Pollution Compensation Funds, for which the amount owing is determined by the International Oil Pollution Compensation Funds. The amounts contributed are used to pay compensation for claims arising under the jurisdiction of the contracting states to the International Oil Pollution Compensation Funds. The size of the contribution is contingent on the number of claims received by the International Oil Pollution Compensation Funds, resulting in varying levels of contributions from year to year. Given this volatility, it has been determined that this contribution cannot be reasonably estimated from year to year. The amount of the contribution is paid and recorded by the Ship-source Oil Pollution Fund once the contribution is determined and requested by the International Oil Pollution Compensation Funds. During the year ended March 31, 2018, the Fund has contributed \$1,335,314 (2017: \$870,706) to the International Oil Pollution Compensation Funds.

During the fiscal year commencing April 1, 2018, the maximum liability of the Fund is \$174,611,294 (2017: \$171,692,521) for all claims from one oil spill. Furthermore, as of April 1, 2018, the Minister of Transport also has the statutory power to impose a levy of 52.38 cents (2017: 51.50 cents) per metric tonne of “contributing oil” imported into or shipped from a place in Canada in bulk as cargo in a ship. Both the maximum liability and the levy are indexed annually to the consumer price index. No levy has been imposed since 1976.

In the normal course of its operations, the Fund may receive information about incidents that have occurred but for which no claims have been received. It is not possible for the Fund to determine the likeliness of a claim for any of these reported incidents. The Fund is also not able to assess the financial value of any such claims should they materialize. No provision related to these incidents is recognized in the financial statements. A provision is recognized when a claim is effectively received.

### **7. INFORMATION INCLUDED IN OPERATIONS**

	<b>2018</b>	<b>2017</b>
Foreign exchange loss included in the International Oil Pollution Compensation Funds contributions	\$ (71,034)	\$ (1,160)

# **SHIP-SOURCE OIL POLLUTION FUND**

## **NOTES TO THE FINANCIAL STATEMENTS**

**MARCH 31, 2018**

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### **8. RELATED PARTY TRANSACTIONS**

The Fund is related, as a component of the accounting framework of the Government of Canada, to all Government of Canada departments, agencies and Crown Corporations.

#### **Rent**

During the year, the Fund has paid \$185,722 (2017: \$176,139) to Public Works and Government Services Canada (PWGSC) for the use of office spaces. The Fund is committed to pay an annual minimum rent of \$185,722 to PWGSC for the rental of premises under a lease agreement expiring March 31, 2023. As a tenant, the Fund is also responsible to pay its share of escalation costs annually.

#### **Accounting services**

During the year, the Fund has paid \$27,610 (2017: \$28,822) to Transport Canada for accounting services.

#### **Other**

During the year, the Fund recovered \$117,043 (2017: \$32,531) from the Fund for Railway Accidents Involving Designated Goods for the following operating expenses:

	<b>2018</b>	<b>2017</b>
Rent	\$ 26,223	\$ 11,838
Administrative services, salaries and office expenses	88,585	20,693
Consulting fees	2,235	-
	<b>\$ 117,043</b>	<b>\$ 32,531</b>

### **9. SUBSEQUENT EVENTS**

The Fund recognizes a provision for an indemnification claim when a formal and duly prepared claim is submitted by the claimant and is effectively received by the Fund. All claims received before March 31, 2018 were provided for in the financial statements. During the period from April 1, 2018 to May 24, 2018, the Fund has received additional claims totalling \$1,491,167. These claims are not provided for in the financial statements.

### **10. BUDGET**

The Ship-source Oil Pollution Fund does not prepare an annual budget due to the nature of its operations.

# **SHIP-SOURCE OIL POLLUTION FUND**

## **ADDITIONAL INFORMATION**

**FOR THE YEAR ENDED MARCH 31, 2018**

**11**

	<b>2018</b>	<b>2017</b>
<b>SCHEDULE A - Administrative services, salaries and office expenses</b>		
Salaries and benefits	\$ 294,113	\$ 202,697
Information technology services	36,890	36,693
Office expenses	36,162	35,176
Telecommunications	8,699	8,376
Other administrative services	155,983	55,356
	<b>\$ 531,847</b>	<b>\$ 338,298</b>
<b>SCHEDULE B – Consulting fees</b>		
Claims consultants and investigators	\$ 187,096	\$ 85,370
Database and information management	57,201	60,061
Graphic and multimedia services	64,625	59,368
	<b>\$ 308,922</b>	<b>\$ 204,799</b>

# CANADIAN INCIDENTS PORTFOLIO MAP

The map shows the geographical spread of the SOPF 2017-2018 portfolio. The number of files indicated for each province or region includes both claim files and incident reports.

- ▶ “New files” means files opened during fiscal year 2017-2018
- ▶ “Closed” means files which closed in fiscal year 2017-2018
- ▶ “Carried over” means that the file was already open on March 31, 2017 and was still open on March 31, 2018



## BRITISH COLUMBIA

- ▶ 35 Active files
- ▶ 18 New files
- ▶ 5 Closed
- ▶ 12 Carried over
- ▶ 28 Had spills





# APPENDIX

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The index of cases which is found below provides additional information on each of the cases of the 2017-2018 files portfolio.

- ▶ Cases listed in the following pages are listed by province (or region, for the Arctic).
- ▶ The “Status” column at the end of the lines indicates whether the file is still open as of March 31, 2018.
- ▶ Files “On hold” are still open but assessment is suspended pending court proceedings.

- ▶ The type of oil is not always known or defined, especially at the incident report stage, i.e. before a claim is filed.

A summary of each of the cases listed below can be found on the SOPF website ([www.sopf.gc.ca](http://www.sopf.gc.ca), under Incidents and Claims Portfolio).

## LIST OF INCIDENT REPORTS AND CLAIMS FILES DEALT WITH IN 2017-2018

SHIP NAME & LOCA- TION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
<b>NEWFOUNDLAND AND LABRADOR</b>											
Baby Leeyn (formerly Jana) Cape St. Mary's, NL	2017	Cargo									Open
Baccalieu Endeavour Musgrave Harbour, NL	2017	Fishing vessel				DFO/CCG 2018-01-03	\$5,146.31	2018-02-07	\$5,045.49 98.4%		Open
Baffin Sound St Antho- ny, NL	2015	Fishing vessel derelict				DFO/CCG 2015-12-09	\$22,185.86	2016-02-25	\$22,185.86 100%		Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
Floyd II Happy Adventure, NL	2017	Fishing vessel	X			DFO/CCG 2017-11-03	\$10,471.05	2017-12-12	\$10,471.05 100%	\$5,250.00	Open
François Clarenville Harbour, NL	2017	Fishing vessel									Open
Jana Mary-stown, Mortimer Bay, NL	2014										Open
Joyce's Journey Bay of Islands, NL	2016	vessel				DFO/CCG 2018-01-03	\$11,373.42	2018-01-31	\$11,373.42 100%		Open
Lucas & Rebecca Bay of Islands, NL	2017	Fishing vessel				DFO/CCG 2017-11-03	\$17,744.64	2017-12-13	\$17,744.64 100%		Open
Matter-horn Mount Carmel, NL	2014	Tug abandoned	X	Diesel & waste oil		DFO/CCG 2016-08-09	\$172,751.64	2016-12-19	\$172,751.64 100%		Open
Norcon Galatea South Coast of Newfoundland	2017	Passenger vessel abandoned									Open
Rhonda Embree, NL	2016	Fishing vessel									Open
Sikuk Claren-ville Harbour, NL	2017	Fishing vessel									Open
Stelie II Port Saunders, NL	2016	Fishing vessel									Open
<b>NOVA SCOTIA</b>											
Arca Sydney Mines, NS	2017	Bunkering tanker	X	Bunker oil		DFO/CCG 2017-04-04	\$100,649.50	2018-01-25	\$54,998.13 54.64%	\$57,000.00	Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
Australian Spirit Halifax, NS	2014	Crude oil tanker									Open
Cormorant Bridgewater, NS	2015	Derelict wreck	X			DFO/CCG 2015-11-02	\$549,581.18	2016-03-29	\$515,267.25 93.76%		Open
EM-AN-L Weymouth North, NS	2016	Fishing vessel	X			DFO/CCG 2016-12-02	\$4,808.25	2017-01-25	\$4,605.94 95.79%		Closed
Farley Mowat Shelburne, NS	2017	Research vessel wreck	X	Oily liquids		DFO/CCG 2017-10-10	\$1,176,126.41				Open
Farley Mowat Shelburne, NS	2015	Motor vessel derelict	X			DFO/CCG 2016-01-18	\$814,815.05	2016-06-29	\$813,316.15 99.82%		Open
Farley Mowat Shelburne, NS	2015	Motor vessel derelict	X			Town of Shelburne 2017-06-23	\$47,598.78	2017-07-18	\$43,641.94 91.69%		Open
Lady Young Deming's Island, NS	2016	Pleasure craft	X	Diesel		DFO/CCG 2016-08-09	\$25,747.66	2016-11-23	\$25,598.67 99.42%		Open
Nordika Desgagnés Cape Breton, NS	2018	Cargo ship									Open
Ryan Atlantic II (formerly Cape Rouge)	2014	Pleasure craft derelict	X			DFO/CCG 2014-06-30	\$362,575.38	2015-03-19	\$358,117.79 98.77%		Open
Stephanie & Darrel Shelburne, NS	2007	Fishing vessel abandoned	X	Fuel & hydraulics		DFO/CCG 2008-02-09	\$13,627.73	2008-05-13	\$13,627.73 100%		Open
<b>NEW BRUNSWICK</b>											
SBI Carioca Belledune, NB	2017	Bulk carrier			X						Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
<b>QUEBEC</b>											
<b>Bayliner 2655</b> Rivière des Prairies, QC	2013	Pleasure craft	X	Fuel & motor oil		DFO/CCG 2015-06-16	\$14,286.40	2015-08-27	\$14,286.40 100%		Open
<b>BBC Maple Lea</b> Lac St-Louis, QC	2015	Cargo ship	X	Bunker		DFO/CCG 2017-12-15	\$1,329.54	2017-12-19	\$1,329.54 100%		Open
<b>Chaulk Determination</b> Trois-Rivières QC	2015	Tug	X	Diesel		TRPA 2015-10-20	\$71,909.71	2017-02-02	\$70,632.58 98.22%		Closed
<b>Chaulk Determination</b> Trois-Rivières QC	2015	Tug	X	Diesel		DFO/CCG 2016-12-09	\$4,585,963.68				Open
<b>Kathryn Spirit</b> Lac St. Louis area, St. Lawrence River, QC	2013	Wreck									Open
<b>Kavo Manali</b> Québec Harbour, QC	2017		X	Lube oil	X						Open
<b>Louis Joliet</b> St Lawrence River, Quebec, QC	2015	Cruise ship	X	Diesel							Open
<b>Maccoa</b> Quebec Port Authority	2017	Bulk carrier	X			QPA 2017-06-16	\$43,806.19	2017-09-15	\$43,806.19 100%		Open
<b>MSC Monica</b> Deschambault-sur-Saint-Laurent, QC	2016	Container ship	X	Heavy bunker & diesel		DFO/CCG 2018-01-22	\$13,121.81				Open
<b>Mystery Spill</b> Québec Port Authority	2016	Bulk carrier	X			QPA 2017-06-16	\$12,298.09	2017-09-14	\$12,298.09 100%		Closed
<b>Sarah Desgagnés</b> Salluit, QC	2015	Tanker	X	Diesel oil Ultra low sulphur							Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
<b>ONTARIO</b>											
Jiggs Port Dover, ON	2018	Derelict									Open
Michipic-oten Superior Terminals, Thunder Bay, ON	2015	Motor vessel	X			DFO/CCG 2017-08-29	\$4,845.89	2017-10-25	\$4,745.46 97.93%	\$4,745.46	Open
Navicula Welland Canal, ON	2015	Former research vessel									Open
Pitts Carillon Picton Bay, Prince Edward County, ON	2017	Barge	X	Residual oil							Open
Warren L II Killarney Channel, ON	2015	Tug & barge	X	Fuel oil		Municipality of Killarney 2017-08-21	\$208,716.21				Open
Warren L II Killarney Channel, ON	2015	Tug & barge	X	Fuel oil		DFO/CCG 2017-12-04	\$30,999.97	2018-03-21	\$28,059.11 90.51%		Open
<b>MANITOBA</b>											
Barge 1526 Hudson Bay	2017	Barge									Open
<b>BRITISH COLUMBIA</b>											
Aquaculture Site Echo Bay, BC	2017		X	Diesel fuel							Open
Central Isle French Creek, BC	2016	Fishing vessel				DFO/CCG 2018-02-20	\$25,035.02				Open
Chilcotin Princess Prince Rupert, BC	2015	Motor vessel	X			DFO/CCG 2016-09-19	\$137,680.88	2016-11-02	\$137,680.88 100%		Open
Command Performance Ahousat, BC	2016	Fishing vessel	X			DFO/CCG 2017-03-21	\$116,433.70	2017-06-07	\$114,047.53 97.95%		Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
Crown Forest 84-6 Zeballos, BC	2014	Barge	X			DFO/CCG 2016-09-19	\$67,348.81	2016-11-25	\$67,348.81 100%		Open
Dawn Marie North End of Mayne Island, BC	2016	Fishing vessel	X			DFO/CCG 2017-11-21	\$11,372.23	2017-12-07	\$11,372.23 100%		Open
Elf Squamish Harbour, BC	2014	Tug derelict	X	Diesel, hydraulic & lube oil		DFO/CCG 2014-08-12	\$82,512.70	2014-12-18	82,512.70 100%		Open
Elva M II Steveston Harbour, Richmond, BC	2016	Fishing vessel	X			Steveston Harbour Authority 2017-02-09	\$7,649.63	2017-02-22	\$7,649.63 100%		Open
Elva M II Steveston Harbour, Richmond, BC	2016	Fishing vessel	X			DFO/CCG 2017-02-28	\$46,351.57	2017-03-31	\$46,351.57 100%		Open
Feelin Free Port Neville, BC	2017	Fishing vessel									Open
Barges King Arthur & SL 104 Mamquam Blind Channel, BC	2016	Barges									Open
Kokanee Port Hardy Harbour Authority, BC	2016	Fishing vessel	X	Oil & diesel		DFO/CCG 2017-04-20	\$4,109.75	2017-06-07	\$2,501.35 60.86%		Closed
Laurier II Deep Bay, BC	2014	Motor vessel				DFO/CCG 2018-01-22	\$384,365.01				Open
Lightship LV76 (Queen of East Vancouver) Mission, BC	2017	Derelict sunken ship									Open
Marathassa English Bay, Vancouver, BC	2015	Bulk carrier Korea	X	Fuel oil IFO 380	X	DFO/CCG 2017-04-03	\$2,431,746.57	2018-03-29	\$1,855,627.75 76.31%		Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018-03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
<b>Marathassa</b> English Bay, Vancouver, BC	2015	Bulk carrier Korea	X	Fuel oil IFO 380	X	Vancouver Fraser Port Authority 2017-04-05	\$198,947.22	2018-02-14	\$158,800.49 79.82%	\$172,935.87	Open
<b>Marathassa</b> English Bay, Vancouver, BC	2015	Bulk carrier Korea	X	Fuel oil IFO 380	X	City of Vancouver 2017-04-10	\$569,053.13				Open
<b>Maryjack</b> Sibell Bay, Vancouver Island, BC	2014	Wood ex-fishing vessel wreck	X	Hydro-carbons		DFO/CCG 2015-07-10	\$94,689.51	2015-11-13	\$86,228.70 91.06%		Closed
<b>Miss Universe</b> South Gillnet Floats, BC	2016	Fishing vessel	X			Port Edward Harbour Authority 2017-07-12	\$19,911.85	2017-08-31	\$18,711.85 93.97%		Open
<b>Mistann</b> Prince Rupert, BC	2011	Fishing vessel	X	Diesel		DFO/CCG 2012-04-26	\$113,787.48	2012-09-12	\$100,462.51 88.29%	\$18,080.42	Open
<b>Mowitch</b> Okanagan Lake, BC	2017	Tug									Open
<b>Mystery Spill</b> Paddle Wheel Park, Vernon, BC	2016		X			City of Vernon, BC 2017-04-03	\$2,011.56	2017-06-19	\$1,586.62 78.88%		Closed
<b>Mystery Spill</b> Port Edward, BC	2016										Open
<b>Nathan E. Stewart</b> Seaforth Channel, Bella Bella, BC	2016	Tug	X	Diesel fuel & lube oil	X						Open
<b>No Name (Ship)</b> Wellington Point, Ladrner River, BC	2017	Wooden tug	X			DFO/CCG 2017-11-21	\$7,650.03	2017-11-30	\$7,650.03 100%		Open
<b>Ocean Eagle</b> Menzies Bay, BC	2016	Tug				DFO/CCG 2018-03-13	\$156,632.65				Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
Pacific Challenge Pender Harbour Sunshine Coast, BC	2013										Open
Pursepa Campbell River, BC	2015	Motor vessel	X			DFO/CCG 2017-02-28	\$24,504.93	2017-03-31	\$24,473.92 99.87%		Closed
Sea C Strider Gorge, BC	2015	Fishing vessel wreck	X			DFO/CCG 2017-11-21	\$35,972.56	2017-12-07	\$35,972.56 100%		Open
Seamee II Cattermole Slough, Squamish, BC	2017	Wreck removal				DFO/CCG 2018-01-02	\$10,184.69	2018-01-25	\$10,184.69 100%		Open
Silver King Deep Bay, BC	2014	Tug wreck				DFO/CCG 2017-10-31	\$338,379.18	2018-04-11	\$107,941.32 31.90%		Open
Simushir Queen Charlotte Islands, BC	2014	Motor vessel			X						Open
South Wind Porpoise Bay, Sechelt, BC	2015	Motor vessel	X	Fuel		DFO/CCG 2017-03-30	\$14,300.21	2017-05-05	\$14,300.21 100%		Closed
Spudnik Howe Sound, Squamish, BC	2014	Derelict vessel	X			DFO/CCG 2016-04-28	\$149,043.60	2016-07-26	\$131,064.45 87.94%		Open
Stellar Sea Tofino, BC	2016										Open
Tempest Ford Cove Hornby Island, BC	2016	Pleasure craft wreck	X			DFO/CCG 2018-01-02	\$15,136.08	2018-02-01	\$14,252.58 94.16%		Open
Top Hatt Richmond, BC	2016	Yacht	X	Diesel							Open
Viki Lyne II (ex Admiral Hardy & Aberdeen) Ladysmith, BC	2012	Motor vessel wreck				DFO/CCG 2017-06-15	\$1,267,926.71				Open
Viking I Nanaimo, BC	2016	Fishing vessel	X	Oil & potential fuel	Nanaimo Port Authority 2017-05-03	\$31,458.19	2017-08-30	\$29,432.92 93.56%			Open
Viking I Nanaimo, BC	2016	Fishing vessel	X	Oil & potential fuel		DFO/CCG 2018-02-20	\$128,246.91				Open

SHIP NAME & LOCATION	YEAR OF INCIDENT	SHIP TYPE	SPILL	OIL TYPE	SECURITY	CLAIM(S) FILED		OFFER		RECOVERED \$	STATUS AS OF 2018 03-31
						CLAIMANT & DATE OF CLAIM	AMOUNT	DATE	AMOUNT %		
Windago Kitsilan Beach, BC	2014	Sailing vessel	X			DFO/CCG 2016-02-17	\$41,506.93	2016-06-01	\$41,506.93 100%		Closed
Zidell Marine 277 & Jake Shearer Goose Island, BC	2017	Barge									Open
<b>ARCTIC WATERS</b>											
Clipper Adventurer Coronation Gulf, Western Arctic, NU	2010	Cruise ship	X		X	DFO/CCG 2011-10-17	\$468,801.72				On hold
Investigator Toker Point, NWT	2016	Barge	X	Fuel oil	X						Open
Sten Fjord Rankin Inlet, Hudson Bay	2016	Tanker	X	Gasoline							Open

