



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

REGULATORY
POLICY

Compliance

P-211

May 2001

REGULATORY DOCUMENTS

The Canadian Nuclear Safety Commission (CNSC) operates within a legal framework that includes law and supporting regulatory documents. Law includes such legally enforceable instruments as acts, regulations, licences and orders. Regulatory documents such as policies, standards, guides, notices, procedures and information documents support and provide further information on these legally enforceable instruments. Together, law and regulatory documents form the framework for the regulatory activities of the CNSC.

The main classes of regulatory documents developed by the CNSC are:

Regulatory policy: a document that describes the philosophy, principles and fundamental factors used by the CNSC in its regulatory program.

Regulatory standard: a document that is suitable for use in compliance assessment and describes rules, characteristics or practices which the CNSC accepts as meeting the regulatory requirements.

Regulatory guide: a document that provides guidance or describes characteristics or practices that the CNSC recommends for meeting regulatory requirements or improving administrative effectiveness.

Regulatory notice: a document that provides case-specific guidance or information to alert licensees and others about significant health, safety or compliance issues that should be acted upon in a timely manner.

Regulatory procedure: a document that describes work processes that the CNSC follows to administer the regulatory requirements for which it is responsible.

Document types such as regulatory policies, standards, guides, notices and procedures do not create legally enforceable requirements. They support regulatory requirements found in regulations, licences and other legally enforceable instruments. However, where appropriate, a regulatory document may be made into a legally enforceable requirement by incorporation in a CNSC regulation, a licence or other legally enforceable instrument made pursuant to the *Nuclear Safety and Control Act*.

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Document availability

The document can be viewed on the CNSC website (www.nuclearsafety.gc.ca). To order a printed copy of the document in English or French, please contact:

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COMPLIANCE

1.0 PURPOSE

This regulatory policy describes the basic principles and directives for establishing and conducting the Canadian Nuclear Safety Commission (CNSC) Compliance Program. The program is aimed at securing compliance by regulated persons with regulatory requirements made under the *Nuclear Safety and Control Act* (“the Act”).

2.0 SCOPE

The policy applies to persons who are regulated by the CNSC through the Act, regulations and licences, as well as by decisions and orders made under the Act.

The policy applies to officers and employees of the CNSC, and its authorized representatives or agents, who are involved in developing and carrying out compliance activities.

Compliance, in the context of this policy, means conformity by regulated persons with the legally binding requirements of the Act, and the CNSC regulations, licences, decisions, and orders made under the Act. Compliance activities are CNSC measures of promotion, verification and enforcement aimed at securing compliance by regulated persons with the applicable legally binding requirements.

3.0 POLICY STATEMENT

Under the Act, the CNSC undertakes necessary and reasonable measures to maximize the level of compliance with regulatory requirements by persons regulated by the CNSC. Such measures are undertaken to prevent unreasonable risks to the health and safety of persons, the environment and national security, and to achieve conformity with measures of control and international obligations to which Canada has agreed.

4.0 POLICY REQUIREMENTS

Various actions are required to implement the policy:

1. Establish a corporate-wide program that includes activities in the areas of promotion, verification, and enforcement with the goal of securing compliance. Program mechanisms must:
 - help CNSC service lines apply this policy effectively and consistently;
 - clearly identify the criteria that will be used to verify compliance with regulatory requirements, and communicate them to persons subject to these requirements; and
 - clearly identify the enforcement actions that can be used by the CNSC and propose a graduated approach to using these actions.
2. Design and carry out implementation measures to maximize compliance for each type of regulated activity while giving consideration to:
 - the risk to the health and safety of persons;
 - the risk to the environment;
 - the risk to national security;
 - the effective implementation of measures of control and international obligations to which Canada has agreed; and
 - the past compliance record of the regulated person.
3. Record the results of compliance activities in each service line.
4. Audit the results and effectiveness of the compliance program and periodically report this information to the President.
5. Communicate to the public, to the extent practical, information and actions resulting from compliance activities.

5.0 EVALUATION

The CNSC internal audit group will evaluate the CNSC's adherence to the policy, and the policy's effectiveness, during periodic program reviews in accordance with management priorities.

6.0 POLICY AUTHORITY

This regulatory policy is issued under the authority of the *Nuclear Safety and Control Act*.