

SECURITY MANAGEMENT REGULATION 181/2022

- Unofficial Copy

Updated To:

[Note: This is an Unofficial Copy. includes B.C. Reg. 202/2023, Sch. 12 amendments (effective September 1, 2023)]

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B.C. Reg. 181/2022

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Contents

PART 1 – Definitions and Interpretation

1. Definitions
2. Application and interpretation of CSA Z246.1

PART 2 – Programs, Procedures and Plans

3. Security management program
4. Information security management procedure
5. Cybersecurity measures
6. Training plan

PART 3 – General

7. Submission of contact information to regulator
8. Reports and records
9. Information in writing
10. Reports and records must be maintained in British Columbia
11. Exemptions

[Provisions of the *Energy Resource Activities Act*, SBC 2008, c. 36, relevant to the enactment of this regulation: sections 111 and 112]

PART 1 – Definitions and Interpretation

Definitions

1. In this regulation:

"Act" means the *Energy Resource Activities Act*;

"contact information" means

- (a) a telephone number at which a person can be contacted, and
- (b) an email address, if any, at which a person can be contacted;

"CSA Z246.1" means the standard published by the Canadian Standards Association as CSA Z7246.1, Security management for petroleum and natural gas industry systems, as amended from time to time;

"cybersecurity" has the same meaning as in CSA Z246.1;

"program" means a security management program within the meaning of section 3.

[am. B.C. Reg. 202/2023, Sch. 12.]

Application and interpretation of CSA Z246.1

- 2.
- (1) For the purposes of this regulation, a permit holder must comply with CSA Z246.1.
 - (2) A reference in a clause of CSA Z246.1 to "operator" or to "owner" is to be read as a reference to "permit holder" as defined in the Act.
 - (3) A reference to "should" in a clause of CSA Z246.1 is to be read as a reference to "must".

PART 2 – Programs, Procedures and Plans

Security management program

3. (1) A permit holder must prepare and maintain a program in accordance with CSA Z246.1.
- (2) A permit holder must review, and, if necessary, update the program
 - (a) at least once every 3 years,
 - (b) after a significant change occurs in the types of threats, risks and vulnerabilities associated with the permit holder's energy resource activity that is the subject of the program, and
 - (c) at any time the permit holder becomes aware of a deficiency in the program that risks
 - (i) the safety of the permit holder's employees or of the public, or
 - (ii) the safe carrying out of the permit holder's energy resource activity.
- (3) A permit holder must, on request by the regulator, do both of the following:
 - (a) have the program reviewed by a third party acceptable to the regulator to verify that the program meets the objectives of CSA Z246.1;
 - (b) submit to the regulator the results of the review referred to in paragraph (a).
- (4) A plan, record or document prepared and maintained for the purposes of a program is prescribed for the purposes of section 38 (1) (a) of the Act.
[am. B.C. Reg. 202/2023, Sch. 12.]

Information security management procedure

4. A program must include an information security management procedure prepared and maintained in accordance with CSA Z246.1.

Cybersecurity measures

5. (1) A program must include cybersecurity measures prepared and maintained in accordance with CSA Z246.1.
- (2) A permit holder must implement the cybersecurity measures in accordance with clause 7 of CSA Z246.1.
- (3) The cybersecurity measures implemented under subsection (1) must meet the objectives of either of the following:
 - (a) the Framework for Improving Critical Infrastructure Cybersecurity, as published by the National Institute of Standards and Technology and as amended from time to time;
 - (b) a national or international standard comparable to the framework referred to in paragraph (a), if approved by the regulator.
- (4) A record or document required to be maintained under clause 7 of CSA Z246.1 is prescribed for the purposes of section 38 (1) (a) of the Act.
[am. B.C. Reg. 202/2023, Sch. 12.]

Training plan

6. A program must include a training plan prepared and maintained in accordance with clause 8.3 of CSA Z246.1.

PART 3 – General

Submission of contact information to regulator

7. (1) Within 14 days after preparing a program under section 3, a permit holder must submit to the regulator the name and contact information of the person responsible for the implementation of the program.
- (2) Within 7 days of a change to the name or contact information submitted under subsection (1), a permit holder must submit updated information.

[am. B.C. Reg. 202/2023, Sch. 12.]

Reports and records

8. (1) A permit holder must prepare and maintain a written record of participants in training described in section 6.
- (2) On completing the provision of training described in section 6, a permit holder must prepare a report that
- (a) states whether the objectives of the training were met,
 - (b) makes recommendations for improvement, including improvement to the training plan, and
 - (c) includes a strategy to implement the recommendations for improvement referred to in paragraph (b).
- (3) A permit holder must prepare a report of the results of an evaluation of a response to a security incident and maintain the report until the permit for the energy resource activity that is the subject of the program is cancelled by the regulator or declared by the regulator to be spent.
- (4) A report under subsection (3) must include
- (a) a description of the security incident, including the cause or suspected cause,
 - (b) a description of the permit holder's response to the incident, including measures taken to reduce the risk of similar incidents occurring, and
 - (c) an assessment of the permit holder's response.
- (5) A report or record required under this regulation or CSA Z246.1 is prescribed for the purposes of section 38 (1) (a) of the Act.

[am. B.C. Reg. 202/2023, Sch. 12.]

Information in writing

9. Information required under this regulation must be kept in writing and may be submitted to the regulator in electronic or paper form.

[am. B.C. Reg. 202/2023, Sch. 12.]

Reports and records must be maintained in British Columbia

10. A permit holder must make the reports and records prepared and maintained under this regulation available to the regulator at the permit holder's principal place of business in British Columbia.

[am. B.C. Reg. 202/2023, Sch. 12.]

Exemptions

11. (1) An official may exempt a permit holder from complying with one or more provisions of this regulation or with one or more requirements of CSA Z246.1 if the official is satisfied that, in the circumstances,

- (a) compliance with the provision or requirement is not reasonably practicable, or
 - (b) the exemption is in the public interest.
- (2) In granting an exemption under subsection (1), an official may impose any conditions on the exemption the official considers necessary.

[Provisions of the *Energy Resource Activities Act*, SBC 2008, c. 36, relevant to the enactment of this regulation: sections 111 and 112]