



**Saguenay Port Authority**

**SECURITY AND TRAFFIC REGULATIONS  
AND TERMS OF USE  
OF THE ACCESS CARD  
AND THE RESTRICTED AREA PASS**

**APRIL 2022**

## **Security and traffic regulations and terms of use of the access card and the restricted area pass**

The Saguenay Port Authority (SPA) is issuing you a card that provides access to its property. Possession and use of this card are privileges granted by the SPA, in partnership with its users. Users of the access card or restricted area pass must understand the responsibilities associated with this, which are derived from both the SPA's internal regulations and from national regulations.

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## Definitions

### **Access card**

A magnetic card that functions as a key allowing access to the SPA's secure areas. It is issued to a person following authorization from a Port of Saguenay marine facility. **The access card does not allow entry into restricted areas.**

### **Restricted area pass**

A document issued by the SPA allowing access to specific restricted areas according to the conditions set out in the *Marine Transportation Security Regulations* and at the marine facilities. It also serves as an access card for those in possession of it.

### **Restricted area**

An area with restricted access where strict control over access must be exercised by way of restricted area passes, as set out in the *Marine Transportation Security Regulations* and identified by appropriate signage. Although marine facilities must designate many restricted areas, the main such areas are located at the edges of wharves or in certain cargo-handling areas.

### **Controlled area**

A port area delineated by fences which can be entered through a guard house with inspection with the means of an access card or restricted area pass or by being announced as a visitor by a marine facility.

### **Marine facility**

Premises rented and/or occupied by businesses which load or unload ships. These businesses have their own responsibilities and obligations with respect to marine security.

There are two marine facilities on the Port of Saguenay's property Terminaux portuaires du Québec and Fonbrai.

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## Operator

A business that operates a marine facility on the Saguenay Port Authority's property. There are two operations at the Grande-Anse Marine Terminal: Terminaux Portuaires du Québec (TPQ) and Fonbrai.

## General Conditions

### A) Security

The SPA's property is an industrial area that poses major risks for workers as well as for people who pass through it. Basic rules must be understood and applied everywhere in order to ensure everyone's safety.

#### 1. Terminal security :

Movement on the operator's terminals is strictly prohibited, except with the OPERATOR's authorizations and guidelines.

**Wearing personal protective equipment is mandatory** in the operations zones. The following must be worn:

- a helmet;
- safety boots;
- safety goggles;
- a reflective vest;
- a flotation vest within two metres of the edge of the wharf.

and any other piece of equipment required by the operator. Obtain further information from them. Driving a vehicle on the terminals is strictly prohibited, unless it has been authorized by the operator. Refer to the operator, who will guide you according to your needs and who will give you the necessary authorizations and the appropriate safety guidelines.

## 2. Parking :

Parking is prohibited on the SPA's property except in duly identified areas and in accordance with the conditions set out in each. Violator shall be informed by a notice of offence; repeat offenders shall have their vehicles towed at their expense. If you believe that you will need to use the parking facilities to perform your duties, consult your employer.

**Table of Penalties for Division A (Security)**

	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence	4 <sup>th</sup> Offence
1. Security	Written notice	Seizure of card	Temporary suspension	Permanent suspension
2. Parking	Written notice	Towing at owner's expense	Towing at owner's expense	Right of access revoked

## B) Traffic

*The Province of Quebec's Highway Safety Code and regulations apply on the SPA's territory. Motorists must respect the activity zones on the SPA's property while driving. Driving along the edges of the wharves is prohibited, except with the authorization of the marine facility or the SPA. Driving in a sector other than that which is your destination is prohibited.*

In order to ensure greater safety on its roadways, the SPA has implemented the following traffic control measures:

1. In the event of driving offences for any vehicle, including, but not limited to, speeding, failing to make a mandatory stop or failing to obey the directions given by a signaler or a representative of the port authority, the penalties are those shown in the table of penalties for Division B(Traffic) and C (Environmental Protection).

2. Certain behaviours may result in stronger measures being immediately taken, including, but not limited to, failing to respect level crossings, dangerous driving, driving while impaired, road rage or aggression, etc.
3. Offences committed by a driver of a heavy vehicle may result in a complaint being filed with the SAAQ's Contrôle routier (highway traffic control).
4. Depending on the laws and regulations in effect, the SPA may refuse access to anyone who does not follow regulations; it may withdraw a right of access at any time for any reason.
5. Given that security on all of the SPA's property is a priority, if an operator reports a particular situation pertaining to dangerous driving or in an unauthorized area, it will be considered by the SPA and could be subject to penalties as indicated in the table of penalties for Division B(Traffic) and C (Environmental Protection).

**Table of Penalties for Division B (Traffic)**

<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>
Written warning and suspension of access card and/or right of access for a duration of up to 48 hours.	Suspension of access card and/or right of access for 7 days.	Permanent suspension or for a duration to be determined according to the severity of the infractions at the SPA's discretion.

**C) Environmental protection**

- In order to protect the environment and with a view to keeping the premises clean, responsible behaviour is required from all users.

Among other things:

- Deliberately throwing out and/or disposing of any substance or contaminant of any kind on the SPA's property without the agreement of the SPA is prohibited.
- Any accidental spill of a contaminant (oil, liquid coolant, fuel or others) must be reported to the Port Authority. The person responsible for the spill shall take measures to confine the spill and completely clean the premises to the SPA's satisfaction without delay.
- An impermeable tarp must cover any bulk cargo load contained in the trailer of a truck and ensure tightness.
- No liquid spill is allowed from vehicles driving within the limits of the Port Authority's properties.
- No truck trailer may be cleaned (including snow removal) on the Port Authority's property.
- Disposing of waste (food waste, wrapping and others) elsewhere than in waste disposal bins is prohibited.

### Table of Penalties for Division C (Environmental Protection)

1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence
- Seizure of access card with suspension of right of access for a minimum of 7 days  - Shall be required to meet with the SPA's Security Coordinator and sign the seized card reissue form to regain their card	- Suspension du droit d'accès au territoire de l'APS  - La suspension peut être temporaire ou permanente en fonction de la gravité et/ou de l'aspect répétitif des infractions, à la discrétion de l'Administration

## Terms of Use of the Access Card and Restricted Area Pass

The access card and the restricted area pass issued by the SPA are privileges granted to port workers and to persons who conduct business with a marine facility. For this reason, they are subject to strict usage rules which must be followed, under penalty of having this privilege withdraw.

### D) Access Card

The access card is the document that allows access to the SPA's property solely for work purposes. Its use is subject to strict rules.

1. Giving access to a secure area to any person or assisting any person to enter one is prohibited. Access card holders who access the SPA's property through an automated barrier must ensure that all valid access card holders in their vehicle scan their cards over the reader. If there are one or more persons who do not have access cards, the vehicle's passengers must obtain authorization from the security guard or by telephone before passing the guard house.
2. Any access card holder who loses their card or has it stolen must immediately inform the SPA or marine facility operator.



3. Giving false information with the aim of obtaining an access card is prohibited under penalty of immediate and irrevocable denial of the application.
4. No person may use an access card if they are not acting in the exercise of their duties.
5. Access card holders must return their access cards to the port authority's representative or to the marine facility operator when:
  - a) they cease to work at the marine facility;
  - b) they cease in any other way to need the access card.
6. Any person who has an access card in their possession must return it upon request to the port authority's representative or to the marine facility operator.
7. No person may :
  - a) lend or give the access card that was issued to a person to any other person;
  - b) alter or modify the access card in any way;
  - c) hold or use an access card that was issued to any other person;
  - d) use a counterfeit access card;
  - e) use or reproduce a copy of the access card.

**Table of Penalties for Division D (Access Card)**

Penalties Division C	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence	4 <sup>th</sup> Offence
Section 1	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 2	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 3	n/a	n/a	n/a	Application for card
Section 4	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 5	n/a	n/a	n/a	Permanent suspension
Section 6	n/a	n/a	Temporary suspension	Permanent suspension
Section 7	n/a	Seizure of card	Temporary suspension	Permanent suspension

When an access card is seized, the holder must contact their employer to inform them of the situation and the employer shall contact the SPA in order to find out what methods of recovering it exist.

An access card holder who forgets their card shall be treated as a visitor: they shall inform the marine facility they wish to visit before their arrival in order to be placed on the list of expected visitors and submit themselves to the rules affecting visitors of the SPA.

### E) Restricted area pass

The pass is a document issued in compliance with Transport Canada's Marine Transportation Security Regulations. Its use is subject to legal conditions under penalty of financial penalties that may be levied by a Transport Canada inspector. Here are some excerpts from those regulations with the financial penalties set out therein.

- 380. (1)** No person shall enter or remain in a restricted area unless they are:
- a) the holder of a restricted area pass issued under section 384 for that restricted area
  - b) a person who does not ordinarily work at the marine facility or port and who is being escorted by a holder of a restricted area pass.
- 381. (1)** A person who is being escorted in a restricted area shall remain with the escort while in the restricted area (\$600 to \$2400).
- (2)** An escort shall remain with the person being escorted or ensure that another holder of a restricted area pass acts as the escort while person is in the restricted area (\$600 to \$2400).
- 382.** No person shall provide access to or assist another person to enter a restricted area unless the person accessing the restricted area is authorized under section 380 (\$1250 to \$5000).
- 383.** The holder of a restricted area pass shall, when they enter or remain in a restricted area, display the pass on their outer clothing and above their waist with, except in the case of a temporary restricted area pass, their photograph or other facial image visible at all times (\$250 à \$1000).
- 385. (1)** A holder of a restricted area pass or key that has been lost or stolen shall immediately report its loss or theft to the port administration or the operator of the marine facility (\$600 to \$2400).
- 387.** A person shall not provide false information for the purpose of obtaining a restricted area pass or a key (\$1250 to \$5000).

- 388.** A person shall not use a restricted area pass or a key except while in the performance of their duties (\$600 to \$2400).
- 389. (1)** The holder of a restricted area pass or a key shall return it to the marine facility operator or the person who issued it when:
- a) the holder ceases to work at a marine facility (\$600 to \$2400);
  - b) or the holder otherwise ceases to require the restricted area pass or the key (\$600 to \$2400).
- 390.** A person shall surrender on demand a restricted area pass or a key in their possession to the marine facility operator, the person who issued it, a peace officer or the Minister (\$600 to \$2400).
- 391.** No person shall :
- a) loan or give a restricted area pass or a key that was issued to one person to another person (\$600 to \$5000);
  - b) Alter or otherwise modify a restricted area pass or a key (\$600 to \$5000);
  - c) have or use a restricted area pass or a key that was issued to another person (\$600 to \$5000);
  - d) use a counterfeit restricted area pass or key (\$600 to \$5000);
  - e) or make or reproduce a copy of a restricted area pass or key (\$600 à \$5000).

In addition to the financial penalties set by Transport Canada which are specific to Division E, the following penalties shall be imposed by the SPA :

<b>Penalties Division E</b>	<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>	<b>3<sup>rd</sup> Offence</b>	<b>4<sup>th</sup> Offence</b>
Section 380	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 381	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 382	n/a	Seizure of card	Temporary suspension	Permanent suspension
Section 383	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 385	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 387	n/a	n/a	n/a	Permanent suspension
Section 388	Written notice	Seizure of card	Temporary suspension	Permanent suspension
Section 389	n/a	n/a	n/a	Permanent suspension
Section 390	n/a	n/a	n/a	Permanent suspension
Section 391	n/a	Seizure of card	Temporary suspension	Permanent suspension

When a pass is seized, the holder must contact their employer to inform them of the situation and the employer shall contact the SPA in order to find out how it may be recovered.

A restricted area pass holder who forgets their pass shall be treated as a visitor: they shall inform the marine facility that they must visit in order to be issued a temporary pass

Because the restricted area pass is also an access card, the conditions pertaining to the use of access cards also apply to the terms of use for restricted area passes.