



Office of the Fire Commissioner

Inspection and Technical Services Manitoba

The Power Engineers Regulation and the Steam and Pressure Plants Regulation

Information Paper

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Why are reforms to the *Power Engineers Regulation* and the *Steam and Pressure Plants Regulation* being considered by Manitoba?

The Manitoba Government recently passed *The Technical Safety Act*. This Act is a consolidation of six existing Acts which regulate specific technical areas including elevating devices, amusement rides, electrical equipment, gas and oil burning equipment, power engineers, and steam and pressure plants.

Although this new Act received final approval on June 30, 2015, its proclamation has been deferred until supporting regulations for each technical area have been updated.

The *Steam and Pressure Plants Regulation* and the *Power Engineers Regulation* have not been reformed since 1987. Changes are necessary in order to create regulations in Manitoba that will ensure public safety while serving stakeholders efficiently and effectively.

These reforms are also intended to address several additional matters including, but not limited to:

- identification of value-added services and regulatory functions;
- investigating the application of risk-based approaches towards inspection activities;
- recognizing technological advancements in equipment manufacturing processes, safety operational controls, and alternate compliance models;
- Investigating validation periods for licenses and certifications.

What changes have been introduced through the *Technical Safety Act*?

The Technical Safety Act modernizes how regulated equipment is worked on and regulated, including:

Prohibitions and Obligations: Clearer roles, responsibilities, and limitations of an owner, operator, installer, manufacturer, vendor, promoter, and/or seller of pressure equipment.

Permits, Licences and Authorization Certificates: Required permits for installation and operation of equipment; Regulated work licences for persons; Required Quality Assurance programs for owners, manufacturers, designers, vendors, and persons (or employers of persons) performing work on regulated equipment.

Variations and Approvals: Ability for consideration of a substituted method of compliance or deviation from the application of the Act; Imposition of a higher standard for regulated equipment (in the interest of public safety); Provisions for recognizing uncertified and temporary use equipment.

Director of Technical Safety: An administrator with the authority to issue information bulletins; issue, cancel, or suspend permits, licences, and certificates; apply injunctions; review appeals against the decision of an inspector; impose financial penalties; issue, suspend, or cancel variations; direct compliance to a higher standard (in the interest of public safety); approve uncertified equipment for use.

Administrative Penalties: Administrative penalties for contraventions or failures to comply with orders; Ability to request reconsideration of a notice of administrative penalty.

Orders: Ability for inspectors to issue orders to owners, operators, manufacturers, designers, vendors, and persons (or employers/supervisors of persons) performing work on regulated equipment, including duty of compliance of person who is given an order; Ability to request reconsideration of an order issued.

Technical Safety Advisory Council: Composition and duties of a council established to advise and make recommendations to the Minister on matters related to the Technical Safety Act, codes, standards, guidelines, and/or procedures related to regulated work and equipment.

How can I participate in the consultation process?

The Office of the Fire Commissioner will be holding initial consultations with a broad range of stakeholders throughout the months of October, November and December 2015. You are invited to participate in the process through the following opportunities:

1. Attendance at any of the scheduled public consultation sessions located throughout the province (see Schedule of Initial Public Consultation Sessions).
2. Completion of an on-line survey by January 15, 2016. The on-line survey is currently available on the OFC website.
3. Forward written comment to the email or mailing address stated at the bottom of this document.

What happens after the initial consultation process has been completed?

The feedback received from the initial consultations (including comments and observations received through information sessions, completed questionnaires, and written comments received) will be gathered, assessed, and summarized.

These results will then be considered as part of the second phase of focused consultations with industry and other key stakeholders.

The final reformed *Steam and Pressure Plants* and the *Power Engineers Regulations*, will be presented to government for consideration.

For additional information or to provide written comment, please contact us at:

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