



Province of Alberta

## OCCUPATIONAL HEALTH AND SAFETY ACT

# OCCUPATIONAL HEALTH AND SAFETY REGULATION

### **Alberta Regulation 62/2003**

With amendments up to and including Alberta Regulation 182/2019

Current as of January 31, 2020

### Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer  
Suite 700, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

### **Copyright and Permission Statement**

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20\_\_.\*

\*The year of first publication of the legal materials is to be completed.

### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 182/2019)

**ALBERTA REGULATION 62/2003**

**Occupational Health and Safety Act**

**OCCUPATIONAL HEALTH AND SAFETY REGULATION**

*Table of Contents*

- 1 Definitions
- 1.1 Farming and ranching operations

**Part 1  
General**

- 4 Hazardous occupation
- 5 Hazardous work site
- 6 Notifiable diseases
- 7 Availability of specifications
- 12 Equipment
- 13 General protection of workers
- 14 Duties of workers
- 15 Safety training
- 16 Joint First Aid Training Standards Board

**Part 2  
Non-mining Blasting Operations  
and Blasters' Permits**

- 16.1 Application of Part 2
- 17 Issue of blaster's permit
- 18 Expiry
- 19 Suspension and cancellation
- 20 Effect at work site
- 21 Employer records of blaster permits
- 22 Amendment of permit
- 23 Possession of blaster's permit

**Part 3  
Mining Operations  
and Mining Certificates**

**Board of Examiners for Mining**

- 24 Board of Examiners
- 25 Duties of Board of Examiners

**Mining Certificates**

- 26 Underground mine blaster's certificate
- 27 Surface mine blaster's certificate
- 30 Underground coal mine manager's certificate
- 31 Underground coal mine foreman's certificate
- 32 Underground coal mine electrical superintendent's certificate
- 32.1 Expiry of mining certificate
- 32.2 Suspension and cancellation, etc., of mining certificates
- 34 Provisional certificates

**Part 4  
Records and Fees**

- 34.1 Employer records of certificates and permits
- 35 Blaster's permit
- 36 Mining certificates

**Part 5  
Programs, Approvals and  
Designated Organizations**

- 41 Research and education programs
- 42 Surveillance programs
- 43 Approvals
- 44 Designated organizations
- 45 Training

**Definitions**

- 1 In this Regulation,
  - (a) repealed AR 51/2018 s2;
  - (b) "Act" means the *Occupational Health and Safety Act*;
  - (c) "asbestos" includes all forms of asbestos;
  - (d) "blaster's permit" means a permit for non-mining operations referred to in section 17(1);
  - (e) "blasting area", except at a mine site, means the area extending at least 50 metres in all directions from any place in which explosives are being prepared, fired or destroyed or in which armed charges are known or believed to exist;
  - (f) "coal dust" means dust that

- (i) results from the mining, transporting or processing of coal,
  - (ii) is of a pure or mixed carboniferous, mineralogical composition, and
  - (iii) contains 10% or less of free silica calculated by weight;
- (g) repealed AR 51/2018 s2;
- (h) “direct supervision” means under the supervision of a competent worker who is
- (i) personally and visually supervising the other worker, and
  - (ii) able to communicate readily and clearly with the other worker;
- (i) repealed AR 51/2018 s2;
- (j) “explosive” means a chemical compound or mixture that by fire, friction, impact, percussion or detonation, may cause a sudden release of gases at a pressure capable of producing destructive effects to adjacent objects or of killing or injuring a person;
- (k) repealed AR 51/2018 s2;
- (l) “lead” includes inorganic and organic compounds of lead;
- (m), (n) repealed AR 51/2018 s2;
- (i) a mineral processing plant, storage facility or discard disposal facility that exists or is to be developed in connection with a mine, and
  - (ii) all connected access roads;
- (o) “mining certificate” means a certificate issued under Part 3;
- (o.1) “professional engineer” means a professional engineer within the meaning of the *Engineering and Geoscience Professions Act*;
- (p) repealed AR 182/2013 s2;
- (q) “silica” means crystalline silicon dioxide, including quartz and cristobalite;

- (r) “surface mine” means a mine worked by strip mining, open pit mining or other surface method, including auger mining;
- (s) “underground mine” means a mine other than a surface mine.
- (t) “working face” means the surface from which mineable material, overburden or waste material is being removed.

AR 62/2003 s1;182/2013;51/2018

### **Farming and ranching operations**

**1.1(1)** Subject to subsection (2) and except as expressly provided in this Regulation, this Regulation does not apply to the following farming and ranching operations:

- (a) the production of crops, including fruits and vegetables, through the cultivation of land;
- (b) the raising and maintenance of animals or birds;
- (c) the keeping of bees.

**(2)** For greater certainty, the following are not farming and ranching operations:

- (a) the processing of food or other products from the operations referred to in subsection (1);
- (b) the operation of greenhouses, mushroom farms, nurseries or sod farms;
- (c) landscaping;
- (d) the raising or boarding of pets.

AR 182/2019 s4

## **Part 1 General**

**2, 3** Repealed AR 51/2018 s3.

### **Hazardous occupation**

**4** For the purposes of section 1(t) of the Act, the occupation of a person who works with asbestos, silica, coal dust or lead is designated as a hazardous occupation.

AR 62/2003 s4;51/2018

**Hazardous work site**

**5** For the purposes of section 1(u) of the Act, a blasting area and an area of a work site where there is a reasonable chance that the airborne concentration of asbestos, silica, coal dust or lead exceeds or may exceed the occupational exposure limit for one or more of the substances under an adopted code are each designated as a hazardous work site.

AR 62/2003 s5;182/2013;51/2018

**Notifiable diseases**

**6** The following diseases are notifiable diseases for the purpose of section 47 of the Act:

- (a) asbestosis;
- (b) mesothelioma;
- (c) asbestos-induced lung cancer;
- (d) asbestos-induced laryngeal cancer;
- (e) asbestos-induced gastrointestinal cancer;
- (e.1) any other kind of asbestos-induced cancer;
- (f) coal worker's pneumoconiosis;
- (g) silicosis;
- (h) elevated blood lead level, that is, a worker's blood lead level greater than 0.5 micromoles per litre ( $\mu\text{mol/L}$ );
- (i) noise-induced hearing loss.

AR 62/2003 s6;182/2013;51/2018

**Availability of specifications**

**7(1)** If the Act, a regulation or an adopted code requires work to be done in accordance with a manufacturer's specifications or specifications certified by a professional engineer, an employer must ensure that

- (a) the workers responsible for the work are familiar with the specifications, and
- (b) the specifications are readily available to the workers responsible for the work.

**(2)** If the Act, a regulation or an adopted code refers to a manufacturer's or employer's specifications or specifications certified by a professional engineer, an employer must ensure that,

during the period of time that the matters referred to in the specifications are in use, a legible copy of the specifications is readily available to workers affected by them.

**(3)** An employer must ensure that the original of the document setting out manufacturer's or employer's specifications or specifications certified by a professional engineer is available in Alberta for inspection by an officer.

**8 to 11.1** Repealed AR 51/2018 s7.

### **Equipment**

**12(1)** An employer must ensure that all equipment used at a work site

- (a) is maintained in a condition that will not compromise the health or safety of workers using or transporting it,
- (b) will safely perform the function for which it is intended or was designed,
- (c) is of adequate strength for its purpose, and
- (d) is free from obvious defects.

**(2)** If a worker is required under the Act, the regulations or the adopted code to use or wear specific equipment, the employer and supervisor must ensure that the worker uses or wears the equipment at the work site.

AR 62/2003 s12;182/2013;51/2018

### **General protection of workers**

**13(1)** If work is to be done that may endanger a worker, the employer must ensure that the work is done

- (a) by a worker who is competent to do the work, or
- (b) by a worker who is working under the direct supervision of a worker who is competent to do the work.

**(2)** An employer who develops or implements a procedure or other measure respecting the work at a work site must ensure that all workers who are affected by the procedure or measure are familiar with it before the work is begun.

**(3)** An employer must ensure that workers who may be required to use safety equipment or personal protective equipment are competent in the application, care, use, maintenance and limitations of that equipment.



**(3.1)** Repealed AR 51/2018 s9.

**(4)** If a regulation or an adopted code imposes a duty on a worker, the worker's employer must ensure that the worker performs that duty.

AR 62/2003 s13;182/2013;51/2018

#### **Duties of workers**

**14(1)** A worker who is not competent to perform work that may endanger the worker or others must not perform the work except under the direct supervision of a worker who is competent to perform the work.

**(2)** A worker must immediately report to the employer equipment that

- (a) is in a condition that will compromise the health or safety of workers using or transporting it,
- (b) will not perform the function for which it is intended or was designed,
- (c) is not strong enough for its purpose, or
- (d) has an obvious defect.

**(2.1)** Repealed AR 51/2018 s10.

**(3)** If a regulation or an adopted code imposes a duty on a worker,

- (a) the duty must be treated as applying to circumstances and things that are within the worker's area of occupational responsibility, and
- (b) the worker must perform that duty.

AR 62/2003 s14;182/2013;51/2018

#### **Safety training**

**15(1)** An employer must ensure that a worker is trained in the safe operation of the equipment the worker is required to operate.

**(2)** An employer must ensure that the training referred to in subsection (1) includes the following:

- (a) the selection of the appropriate equipment;
- (b) the limitations of the equipment;
- (c) an operator's pre-use inspection;

- (d) the use of the equipment;
  - (e) the operator skills required by the manufacturer's specifications for the equipment;
  - (f) the basic mechanical and maintenance requirements of the equipment;
  - (g) loading and unloading the equipment if doing so is a job requirement;
  - (h) the hazards specific to the operation of the equipment at the work site.
- (3) If a worker may be exposed to a harmful substance at a work site, an employer must
- (a) establish procedures that minimize the worker's exposure to the harmful substance, and
  - (b) ensure that a worker who may be exposed to the harmful substance
    - (i) is trained in the procedures,
    - (ii) applies the training, and
    - (iii) is informed of the health hazards associated with exposure to the harmful substance.
- (4) A worker must participate in the training provided by an employer.
- (5) A worker must apply the training referred to in subsections (1) and (3).

**Joint First Aid Training Standards Board**

**16** If the Minister establishes a Joint First Aid Training Standards Board under section 7 of the *Government Organization Act*, the Board must include members selected from among the national first aid training standard setting agencies.

AR 62/2003 s16;182/2013

**Part 2**  
**Non-mining Blasting Operations**  
**and Blasters' Permits**

**Application of Part 2**

**16.1** This Part applies with respect to non-mining blasting operations.

AR 182/2013 s11

**Issue of blaster's permit**

**17(1)** A worker who handles, prepares, fires, burns or destroys an explosive must hold a blaster's permit issued for that specific type of blasting operation as stated on the permit.

**(2)** A blaster's permit may be issued by

- (a) a Director of Inspection, or
- (b) an organization that is authorized by a Director of Inspection.

**(3)** A worker may apply for a blaster's permit in a manner authorized by a Director of Inspection.

**(4)** An applicant for a blaster's permit must

- (a) have successfully completed a course and examination acceptable to the Director of Inspection,
- (b) have qualifications acceptable to the Director of Inspection,
- (c) provide the Director of Inspection with written proof that the applicant
  - (i) has, within the previous 36 months, at least 6 months experience in handling, preparing, firing, burning or destroying explosives as a blaster or an assistant to a blaster, and
  - (ii) is, in the opinion of the applicant's employer, competent to carry out the blasting operation,

or

- (d) satisfy a Director of Inspection that the applicant holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is a blaster's permit in that jurisdiction or that is recognized by that Director as the equivalent in that

jurisdiction of a blaster's permit issuable under this section.

**(5)** A Director of Inspection may issue a blaster's permit if the applicant

- (a) is 18 years of age or older, and
- (b) complies with subsection (4).

AR 62/2003 s17;284/2009;51/2018

### **Expiry**

**18(1)** The term of a blaster's permit is that stipulated by a Director of Inspection in the permit, which term is to have an expiry date not later than 5 years after the date of the issue of the permit.

**(2)** Notwithstanding subsection (1), a blaster's permit issued to an applicant who qualifies for it by virtue of section 17(4)(d) expires at the time that the documentation referred to in that clause expires or otherwise terminates.

AR 62/2003 s18;182/2013

### **Suspension and cancellation**

**19(1)** Subject to this section, a Director of Inspection may, by notice in writing, cancel a blaster's permit or suspend it for the period specified in the notice if there is reason to believe that its holder

- (a) has contravened the Act, the regulations or an adopted code,
- (b) has otherwise used explosives, detonators or equipment in a manner that constitutes a hazard to the holder or other workers,
- (c) is or was the holder of documentation referred to in section 17(4)(d) and that documentation is suspended or cancelled,
- (d) provided false information to a Director of Inspection or an officer, or
- (e) has done or has failed to do anything that, in the Director's opinion, warrants the cancellation or suspension.

**(2)** An officer may suspend a blaster's permit for a period not exceeding 72 hours if any of the conditions in subsection (1) are met.

- (3) A Director of Inspection may for any reason reassess the competency of the holder of a blaster's permit or require any specified training to be undertaken, or both.
- (4) A person who suspends or cancels a blaster's permit issued by an organization referred to in section 17(2)(b) shall notify that organization of the suspension or cancellation.
- (5) A person who suspends or cancels a blaster's permit shall give written reasons for the suspension or cancellation to the worker and the worker's employer.
- (6) The holder of a blaster's permit shall surrender the permit immediately to an officer on request if it is suspended or cancelled.

AR 62/2003 s19;182/2013

**Effect at work site**

**20** If a Director of Inspection or an officer suspends or cancels a blaster's permit held by a worker at a work site where explosives are used, all other blaster's permits held by workers at the same work site are suspended until the employer gives that person proof in writing acceptable to that person that action has been taken to correct the conditions that led to the initial suspension or cancellation.

AR 62/2003 s20;182/2013

**Employer records of blaster permits**

**21** An employer must ensure that a current list of the blasters employed by the employer, listing each blaster's name, the issuer of the permit, permit number and permit expiry date is maintained and readily available for reference by an officer.

**Amendment of permit**

**22(1)** A Director of Inspection may amend a blaster's permit.

(2) If a holder of a blaster's permit applies to a Director of Inspection to amend the terms of the blaster's permit to include the experimental use of explosives not otherwise covered by the blaster's permit, the application must include a description of the experimental use including

- (a) the explosive to be used,
- (b) the detonator and method of detonation,
- (c) details of the transportation, handling, preparation and loading of the explosives and detonators,

- (d) the name of the supervisor in charge of the operation,
- (e) the name of the blaster, blaster's permit number and the issuer of the permit, and
- (f) any other information a Director of Inspection requires.

**Possession of blaster's permit**

**23** The holder of a blaster's permit must have the original, valid blaster's permit at the work site while a blasting operation is in progress.

### **Part 3 Mining Operations and Mining Certificates**

#### **Board of Examiners for Mining**

**Board of Examiners**

**24(1)** The Minister may establish a Board of Examiners comprising members appointed by the Minister.

**(2)** Repealed AR 182/2013 s15.

**(3)** The appointment of a person to the Board of Examiners must be for the fixed term set by the Minister.

**(4)** The fees and expenses payable to a person serving on the Board of Examiners must be in an amount determined by the Minister.

**(5)** The Board of Examiners may regulate its own procedure and business, including the fixing of a quorum.

AR 62/2003 s24;182/2013

**Duties of Board of Examiners**

**25(1)** The functions of the Board of Examiners are to provide Directors of Inspection with any advice requested of it with respect to matters related to mining operations and mining certificates.

**(2)** Without limiting subsection (1), a Director of Inspection may request the Board of Examiners specifically

- (a) to advise as to the eligibility and qualification requirements for candidates applying for mining certificates,

- (b) to conduct examinations of candidates seeking mining certificates,
- (c) to recommend the candidates to whom mining certificates should be issued,
- (d) to provide technical support pertaining to mining operations and certificates, and
- (e) to advise on any other matter referred to in subsection (1) requested by a Director of Inspection.

AR 62/2003 s25;182/2013

### **Mining Certificates**

#### **Underground mine blaster's certificate**

**26(1)** A worker who handles, prepares, fires, burns or destroys an explosive or handles misfires at an underground mine site must hold an underground mine blaster's certificate issued by a Director of Inspection.

**(2)** A worker may apply for an underground mine blaster's certificate in a manner authorized by a Director of Inspection.

**(3)** An applicant for an underground mine blaster's certificate must

- (a) either
  - (i) have at least 3 years' experience in underground mining,
  - (ii) produce written evidence of having received adequate instruction and training in underground mine blasting by a worker competent in underground mine blasting, and
  - (iii) satisfy a Director of Inspection that the applicant is competent to hold an underground mine blaster's certificate,

or

- (b) satisfy a Director of Inspection that the applicant holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is an underground mine blaster's certificate in that jurisdiction or that is recognized by that Director as the equivalent in that jurisdiction of an underground mine blaster's certificate issuable under this section.

- (4) A Director of Inspection may issue an underground mine blaster's certificate to a worker who complies with this section.

AR 62/2003 s26;284/2009;182/2013;51/2018

#### **Surface mine blaster's certificate**

**27(1)** A worker who handles, prepares, fires, burns or destroys an explosive or handles misfires at a surface mine site must hold a surface mine blaster's certificate issued by a Director of Inspection.

(2) A worker may apply for a surface mine blaster's certificate in a manner authorized by a Director of Inspection.

(3) An applicant for a surface mine blaster's certificate must

(a) either

(i) have at least 3 years' experience in surface mining,

(ii) produce written evidence of having received adequate instruction and training in surface mine blasting by a worker competent in surface mine blasting, and

(iii) satisfy a Director of Inspection that the applicant is competent to hold a surface mine blaster's certificate,

or

(b) satisfy a Director of Inspection that the applicant holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is a surface mine blaster's certificate in that jurisdiction or that is recognized by that Director as the equivalent in that jurisdiction of a surface mine blaster's certificate issuable under this section.

(4) A Director of Inspection may issue a surface mine blaster's certificate to a worker who complies with this section.

AR 62/2003 s27;284/2009;182/2013;51/2018

**28, 29** Repealed AR 182/2013 s18.

#### **Underground coal mine manager's certificate**

**30(1)** A person may apply in a manner authorized by a Director of Inspection for an underground coal mine manager's certificate.

(2) A Director of Inspection may issue an underground coal mine manager's certificate to a worker



- (a) if the worker is a professional engineer in the mining discipline, has experience in underground coal mining totalling at least 5 years, including at least one year of working at the working face, and has demonstrated knowledge of the Act, the regulations and the relevant portions of the adopted code and underground mine rescue acceptable to a Director of Inspection,
- (b) if a Director of Inspection is satisfied that the worker has sufficient knowledge and experience in underground coal mining to manage underground coal mine activities safely, or
- (c) if the worker satisfies a Director of Inspection that the worker holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is an underground coal mine manager's certificate in that jurisdiction or that is recognized by that Director as the equivalent in that jurisdiction of an underground coal mine manager's certificate issuable under this section.

(3) to (5) Repealed AR 182/2013 s19.

AR 62/2003 s30;284/2009;182/2013;51/2018

#### **Underground coal mine foreman's certificate**

**31(1)** A person may apply in a manner authorized by a Director of Inspection for an underground coal mine foreman's certificate.

**(2)** A Director of Inspection may issue an underground coal mine foreman's certificate to a worker

- (a) with experience totalling at least 5 years in an underground coal mine, including at least one year of working at the working face or its equivalent,
- (b) who is knowledgeable about blasting procedures and underground rescue procedures,
- (c) who holds a standard first aid certificate, and
- (d) who satisfies a Director of Inspection that the applicant is competent to hold an underground coal mine foreman's certificate

or who satisfies a Director of Inspection that the worker holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is an underground coal mine foreman's certificate in that jurisdiction or that is recognized by that Director as the equivalent in that jurisdiction of an

underground coal mine foreman's certificate issuable under this section.

(3) Repealed AR 182/2013 s20.

AR 62/2003 s31;284/2009;182/2013;51/2018

#### **Underground coal mine electrical superintendent's certificate**

**32(1)** A person may apply in a manner authorized by a Director of Inspection for an underground coal mine electrical superintendent's certificate.

(2) A Director of Inspection may issue an underground coal mine electrical superintendent's certificate to

- (a) a worker who is a professional engineer in the electrical discipline and has experience in underground coal mining totalling at least 2 years and has demonstrated knowledge of the Act, the regulations and the relevant portions of the adopted code acceptable to a Director of Inspection,
- (b) a worker who holds a trade certificate in the trade of electrician under the *Apprenticeship and Industry Training Act* or a certificate in the trade of electrician issued by another jurisdiction in Canada bearing an interprovincial standards red seal, demonstrates to a Director of Inspection satisfactory knowledge of the Act, the regulations and the relevant portions of the adopted code and has at least
  - (i) 3 years of electrical experience in underground coal mining or its equivalent, or
  - (ii) 4 years of electrical experience, including at least one year in underground coal mining,
- (c) a worker who has other training and experience acceptable to a Director of Inspection, or
- (d) a worker who satisfies a Director of Inspection that the worker holds valid and current documentation from an equivalent certifying authority in another jurisdiction of Canada that is an underground coal mine electrical superintendent's certificate in that jurisdiction or that is recognized by that Director as the equivalent in that jurisdiction of an underground coal mine electrical superintendent's certificate issuable under this section.

AR 62/2003 s32;284/2009;182/2013;51/2018

**Expiry of mining certificate**

**32.1(1)** The term of a mining certificate is that stipulated by a Director of Inspection in the certificate, which term is to have an expiry date not later than 5 years after the date of the issue of the certificate.

**(2)** Notwithstanding subsection (1), a mining certificate issued to an applicant who qualifies for it by virtue of section 26(3)(b), 27(3)(b), 30(2)(c), the portion of section 31(2) occurring after clause (d) or section 32(2)(d), as the case may be, expires at the time that the documentation referred to in that provision expires or otherwise terminates.

AR 182/2013 s22

**Suspension and cancellation, etc., of mining certificates**

**32.2(1)** Subject to this section, a Director of Inspection may, by notice in writing, cancel a mining certificate or suspend it for the period specified in the notice if there is reason to believe that its holder

- (a) has contravened the Act, the regulations or an adopted code,
- (b) has otherwise used explosives, detonators or equipment in a manner that constitutes a hazard to the holder or other workers,
- (c) is or was the holder of documentation referred to in section 32.1(2) and that documentation is suspended or cancelled,
- (d) provided false information to a Director of Inspection or an officer, or
- (e) has done or has failed to do anything that, in the Director's opinion, warrants the cancellation or suspension.

**(2)** An officer may suspend a mining certificate for a period not exceeding 72 hours if any of the conditions in subsection (1) are met.

**(3)** A Director of Inspection may for any reason reassess the competency of the holder of a mining certificate or require any specified training to be undertaken, or both.

**(4)** A person who suspends or cancels a mining certificate shall give written reasons for the suspension or cancellation to the worker and the worker's employer.

(5) The holder of a mining certificate shall surrender the certificate immediately to an officer on request if it is suspended or cancelled.

AR 182/2013 s22

**33** Repealed AR 182/2013 s23.

#### **Provisional certificates**

**34(1)** A Director of Inspection may grant a provisional certificate to a worker who

- (a) applies for a mining certificate under this Part,
- (b) is qualified to apply for an examination for that mining certificate, and
- (c) satisfies the Director regarding the worker's knowledge of the Act, the regulations and the relevant portions of the adopted code as they apply to the type of mining certificate applied for.

**(2)** A provisional certificate

- (a) is valid for a period of not more than 18 months from the date of its issue, and
- (b) repealed AR 182/2013 s24,
- (c) is valid only at the mine specified on the certificate.

**(3)** A provisional certificate cannot be renewed after the expiry date unless the holder satisfies a Director of Inspection that

- (a) the worker is progressing through a course of study to the satisfaction of the Director, or
- (b) the worker was unable, because of exceptional circumstances, to be present at the scheduled examination referred to in subsection (1)(b) related to the certification.

AR 62/2003 s34;182/2013

## **Part 4 Records and Fees**

#### **Employer records of certificates and permits**

**34.1(1)** An employer shall maintain records of the mining certificates and blasters' permits and their holders at a work site and have them readily available for inspection by an officer.

(2) The record for each mining certificate or blaster's permit must include its holder's name and its issuer, number and expiry date.

AR 182/2013 s25;51/2018

#### **Blaster's permit**

**35** The fee to apply for a blaster's permit

- (a) is \$50, or
- (b) is \$75 if the applicant requests that the application be processed by a Director of Inspection in one work day.

#### **Mining certificates**

**36(1) and (2)** Repealed AR 182/2013 s26.

(3) The application fee to sit for or challenge an examination listed in subsection (4) is \$50.

(4) If an examination is required by a Director of Inspection, the following fees to sit and write an examination are payable:

- (a) underground coal mine manager's certificate
  - (i) Paper 1 - Legislation \$100
  - (ii) Paper 2 - Gases, Shot Firing and Explosives \$150
  - (iii) Paper 3 - Ventilation - Theory and Practice \$150
  - (iv) Paper 4 - Practical \$150
  - (v) Paper 5 - Machinery \$150
  - (vi) Paper 6 - Surveying, Levelling and Geology \$150
- (b) underground coal mine foreman's certificate
  - (i) Paper 1 - Legislation \$100
  - (ii) Paper 2 - Practical \$150
- (c) underground coal mine electrical superintendent's certificate
  - Paper 1 - Legislation and Practical \$200
- (d) mine blaster's certificate

**37 to 39** Repealed AR 182/2013 s28.

**40** Repealed AR 51/2018 s18.

## **Part 5 Programs, Approvals and Designated Organizations**

### **Research and education programs**

**41** The Minister may, by order, establish research and education programs for the purposes of preventing work site illnesses and injuries.

AR 51/2018 s18

### **Surveillance programs**

**42** The Minister may, by order, establish occupational health and safety surveillance programs

- (a) for the purposes set out in section 49 of the Act, and
- (b) for the purposes of conducting research relating to the epidemiology of occupational injuries, diseases, exposures, incidents and fatalities.

AR 51/2018 s18

### **Approvals**

**43(1)** To be considered for an approval under section 16(4) or 17(1) of the Act, an employer must apply for an approval in accordance with section 56 of the Act.

**(2)** An employer must provide the following information for each work site affected in an application for an approval:

- (a) the name and contact information for any existing worker co-chair of a joint work site health and safety committee, any existing health and safety representative, and any unions representing workers at the work site;
- (b) the address of the work site;
- (c) the number of workers at the work site;
- (d) the type and nature of the work at the work site;

- (e) the number and nature of the injuries or incidents reported and investigated under section 40 of the Act during the previous year;
  - (f) the proposed procedure for workers to communicate work site specific health and safety issues to the joint work site health and safety committee and any health and safety representative;
  - (g) the proposed composition of the joint work site health and safety committee;
  - (h) the proposed alternative to a health and safety representative;
  - (i) the proposed schedule for work site inspections;
  - (j) documentation showing support for the application by workers or worker representatives;
  - (k) any other information requested by the Director.
- (3)** In considering whether to issue an approval under section 16(4) or 17(1) of the Act, the Director may consider
- (a) any of the information provided under subsection (2),
  - (b) any effect an approval could have on the health or safety of a worker or other person,
  - (c) the relevant history of compliance or non-compliance with the Act, regulations or the Occupational Health and Safety Code, and
  - (d) any other criteria the Director considers appropriate.
- (4)** If an approval is issued under section 16(4) or 17(1) of the Act and there are any subsequent changes to any of the information provided to the Director under subsection (2), the employer must notify the Director in writing of the changes as soon as reasonably practicable.

AR 51/2018 s18

**Designated organizations**

**44** The Minister may establish criteria to designate organizations under section 83 of the Act.

AR 51/2018 s18

**Training**

**45(1)** The Minister shall establish criteria that must be included in a curriculum for training co-chairs of a joint work site health

and safety committee and to health and safety representatives under section 29(1) and (2) of the Act.

**(2)** The criteria to be included in the curriculum referred to under subsection (1) must include the following:

- (a) the roles and responsibilities of co-chairs on joint work site health and safety committees and health and safety representatives;
- (b) the obligations of work site parties;
- (c) the rights of workers;
- (d) the manner in which the organizations will address the responsibilities of both workers and employers in the delivery of the training;
- (e) any other criteria established by the Minister.

AR 51/2018 s18











Printed on Recycled Paper 