

1937

## c 343 Steam Boiler Act

Ontario

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## CHAPTER 343.

## The Steam Boiler Act.

## 1. In this Act and in the regulations,—

- (a) "Inspector" shall mean an inspector appointed by the Lieutenant-Governor in Council under and for the purposes mentioned in this Act; Interpretation.  
"Inspector."
- (b) "Minister" shall mean Minister of Labour; "Minister."
- (c) "Regulations" shall mean regulations made under the authority of this Act by the Lieutenant-Governor in Council; "Regulations."
- (d) "Steam boiler" shall mean and include any vessel or structure in which steam is generated for power or heating purposes, and any vessel or other appliance in which steam, gas, air or liquid is contained under pressure, and shall include all pipes, apparatus and machinery attached to, or connected with a steam boiler, but not a portable boiler rated at twenty-five horse power or under, used exclusively for horticultural or agricultural purposes. R.S.O. 1927, c. 308, s. 1; 1929, c. 80, s. 2. "Steam boiler."

2. Upon the recommendation of the Minister, the Lieutenant-Governor in Council may make regulations,— Power to make regulations.

- (a) respecting the construction, repair, sale or exchange of steam boilers, and the approval of designs and installation of high pressure steam piping and fittings;
- (b) prescribing specifications for the construction of steam boilers, including the material to be used, the method and order of construction, the tests to be applied during and after construction;
- (c) for the inspection of every steam boiler during its construction and before it is removed from the place of construction, and for the inspection of used boilers when repaired, sold or exchanged;
- (d) for fixing the fees for examination of drawings and specifications, and for making inspections and collecting the travelling expenses incurred by inspectors for such inspections; and

(e) generally respecting such other matter as may be deemed proper to secure a uniform standard of strength, safety and efficiency in the construction of steam boilers. R.S.O. 1927, c. 308, s. 2; 1929, c. 80, s. 3.

When to come into effect.

**3.** The regulations shall be published in the *Ontario Gazette* and shall come into force and take effect at a date to be named by Proclamation. R.S.O. 1927, c. 308, s. 3.

Appointment of inspectors.

**4.**—(1) The Lieutenant-Governor in Council may appoint inspectors of steam boilers for the purposes of this Act and for the enforcement of the regulations, and may designate one of them to be Chief Boiler Inspector.

Employment of boiler inspection company.

(2) The Minister may employ any boiler insurance company registered in the Department of Insurance, or any inspection company engaged in the inspection of steam boilers, to make any inspection of steam boilers during their construction, required by the regulations, and the company making such inspection shall report upon the same within fourteen days thereafter to the Chief Boiler Inspector. R.S.O. 1927, c. 308, s. 4.

Inspectors not to be agents for boilers or machinery.

**5.** No person shall be appointed or shall hold office as inspector who is directly or indirectly interested in the manufacture or sale of steam boilers or steam machinery. R.S.O. 1927, c. 308, s. 5.

Oath of office to be taken.

**6.** Every inspector appointed under the provisions of this Act shall, before entering upon the performance of his duties, take and subscribe an oath that he will faithfully and impartially perform the duties of his office. R.S.O. 1927, c. 308, s. 6.

Power to enter premises.

**7.** For the purpose of seeing that the provisions of this Act and of the regulations are complied with, an inspector may at any reasonable hour enter upon any land or into any building where any steam boiler is under construction, alteration or repair. R.S.O. 1927, c. 308, s. 7.

Obstructing inspectors.

**8.** Any person interfering with or obstructing any inspector in the performance of his duties under this Act shall incur a penalty not exceeding \$50. R.S.O. 1927, c. 308, s. 8.

Power of inspector to summon witnesses.

**9.**—(1) An inspector may by notice in writing require the attendance before him, at a time and place named in the notice, of any person, and may examine such person either alone or

in the presence of any other persons as he may think fit as to any matter connected with the construction, alteration or repair of a steam boiler or its removal from any place in which it has been constructed, altered or repaired.

(2) For the purposes of subsection 1, the inspector may administer an oath to any person to be examined by him. Oath.

(3) Every person who wilfully neglects or refuses to attend before the inspector after receiving notice so to do, or refuses to be sworn or to give evidence before the inspector, or to answer any question put to him by the inspector touching the matters mentioned in subsection 1, shall incur a penalty of \$25. Penalty for neglect to attend.  
R.S.O. 1927, c. 308, s. 9.

**10.**—(1) Upon completion of his inspection, the inspector shall issue to the owner or manufacturer of the boiler an inspection certificate, and the owner or manufacturer shall pay the inspector a fee of \$5 for such inspection and the issue of such certificate. Inspection certificate. Fee.

(2) Any owner or manufacturer neglecting or refusing to pay the inspector such fee shall incur a penalty not exceeding \$20. Penalty for refusal to pay fee.  
R.S.O. 1927, c. 308, s. 10.

**11.**—(1) Every owner or manufacturer who knowingly contravenes any of the provisions of this Act or the regulations in such a manner as to endanger the safety of any person or who refuses or neglects to comply with any order, direction or recommendation lawfully given or made under this Act or the regulations dealing with the safe manufacture, installation or repair of steam boilers shall be guilty of an offence and shall incur a penalty of not less than \$50 and not more than \$300. Penalty for contravention, endangering safety.

(2) Every person who contravenes any of the provisions of this Act or the regulations shall be guilty of an offence and where no other penalty is provided shall incur a penalty of not less than \$10 and not more than \$50. Penalty when not otherwise provided.  
1932, c. 39, s. 2.

**12.**—(1) Any person who is dissatisfied with the action of an inspector or with a certificate of inspection issued by him may within one week after the inspection appeal to the Minister, who may thereupon cause another inspection to be made by one or more competent inspectors, who shall report to him, and the decision of the Minister shall be final. Appeal to the Minister.

(2) Any expenses occasioned by the appeal and second inspection shall be paid as determined by the Minister. Expenses how paid.  
R.S.O. 1927, c. 308, s. 11.

Application  
of fees and  
penalties.

**13.** All fees paid and all penalties recovered under this Act or the regulations shall be paid to the Treasurer of Ontario. R.S.O. 1927, c. 308, s. 12.

Recovery of  
penalties.

Rev. Stat.,  
c. 136.

**14.** The penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 308, s. 13.

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