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c 29 The Elevators and Lifts Amendment Act, 1970

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CHAPTER 29

An Act to amend The Elevators and Lifts Act

Assented to June 26th, 1970
Session Prorogued November 13th, 1970

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *f* of section 1 of *The Elevators and Lifts Act*,^{R.S.O. 1960, c. 119, s. 1,} as amended by subsection 2 of section 1 of *The Elevators and Lifts Amendment Act, 1965*,^{cl. 7, re-enacted} is repealed and the following substituted therefor:

(*f*) “elevator” means a mechanism, including its hoistway enclosure, affixed to a building or structure and equipped with a car or platform that,

- (i) moves in guides, or is otherwise guided, at an angle exceeding 70 degrees from the horizontal, and
- (ii) is used to lift or lower persons or freight in or about the building or structure,

and includes a freight platform having a vertical travel in excess of sixty inches.

(2) The said section 1 is amended by adding thereto the following paragraph:^{R.S.O. 1960, c. 119, s. 1, amended}

(*ra*) “professional engineer” means a person who is a member of the Association of Professional Engineers of the Province of Ontario or who is licensed to practise as a professional engineer under *The 1968-69, c. 99 Professional Engineers Act, 1968-69*.

2. Section 6 of *The Elevators and Lifts Act*, as amended^{R.S.O. 1960, c. 119, s. 6, re-enacted} by section 4 of *The Elevators and Lifts Amendment Act, 1965*, is repealed and the following substituted therefor:

- 6. Every elevator, dumb-waiter, escalator, manlift and^{Inspections} incline lift shall be inspected at such intervals as may be determined by the chief inspector.

R.S.O. 1960, c. 119, amended **3.** *The Elevators and Lifts Act* is amended by adding thereto the following section:

Inspector or engineer not liable 12a. No inspector or engineer of the Department is personally liable for anything done or omitted to be done by him in the performance of his duties under this Act or the regulations.

R.S.O. 1960, c. 119, s. 14, amended **4.** Section 14 of *The Elevators and Lifts Act* is amended by adding thereto the following subsection:

Drawings and specifications to be signed and sealed (2a) Drawings and specifications submitted under this section shall bear the signature and seal of a professional engineer.

R.S.O. 1960, c. 119, s. 24, subs. 1, amended **5.** Subsection 1 of section 24 of *The Elevators and Lifts Act*, as amended by section 3 of *The Elevators and Lifts Amendment Act, 1961-62*, is further amended by striking out "\$1,000" in the amendment of 1961-62 and inserting in lieu thereof "\$5,000", so that the subsection shall read as follows:

Offence (1) A person who contravenes any of the provisions of this Act or the regulations or any notice or order made thereunder is guilty of an offence and on summary conviction is liable to a fine of not more than \$5,000.

R.S.O. 1960, c. 119, amended **6.** *The Elevators and Lifts Act* is amended by adding thereto the following section:

Limitation on prosecution 24a. No prosecution under this Act shall be instituted more than one year after the last act or default upon which the prosecution is based occurred.

Commencement **7.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title **8.** This Act may be cited as *The Elevators and Lifts Amendment Act, 1970*.