1927

c 207 Stationary and Hoisting Engineers Act

Ontario
CHAPTER 207.

The Stationary and Hoisting Engineers Act.

1. In this Act,—

   (a) "Board" shall mean the Board of Examiners appointed as hereinafter provided;

   (b) "Gas plant" shall mean and include air, ammonia, carbon dioxide and sulphur dioxide compressor or compressors, driven by power other than steam, and every part thereof and thing connected therewith and used with reference to any such compressor or compressors;

   (c) "Hoisting plant" shall mean and include a steam boiler, a boiler and steam engine and every part thereof, working at a pressure of twenty pounds or over irrespective of horsepower and used for hoisting in structural operations or for excavating purposes, or for portable or industrial work;

   (d) "Horsepower" of a steam plant shall mean the equivalent to the evaporation of 34½ lbs. of water per hour from and at 212°—15 sq. ft. heating surface for return tubular boilers—12 sq. ft. heating surface for locomotive type boilers—10 sq. ft. heating surface for water tube boilers;

   (e) "Horsepower" of a gas plant shall mean the brake horsepower rating of the motive power driving the compressor or compressors;

   (f) "Minister" shall mean Minister of Labour;

   (g) "Steam plant" shall mean and include a steam boiler or boilers, steam engine or engines, steam pump plant, or pumps, or any combination of engines, boilers and pumps, and every part thereof and thing connected therewith, or used with reference to any such boilers, engines or pumps, in one building, or in two or more buildings, if said buildings are not separated by a distance of more than three hundred feet and under the one management. 1927, c. 55, s. 2.
2. Nothing in this Act shall apply to the operation of any stationary steam or gas plant having a capacity of less than twenty-five horsepower, nor to steam heating plants or gas plants operating with the safety valve set to relieve the pressure at ten pounds or under, nor to the operation of a locomotive engine used on chartered railroads or electric locomotives, or a steamboat or steamship engine or a hoist at a mine, nor to boilers used for agricultural purposes. 1927, c. 55, s. 3.

3.—(1) The Lieutenant-Governor in Council may appoint a board of examiners consisting of three or five competent and independent engineers practically conversant with the construction of boilers and the operation of steam plants and gas plants, who shall hold office during pleasure and, subject to the regulations mentioned in the following section, shall prescribe the subjects in which candidates for certificates of qualification as stationary or hoisting engineers shall be examined and shall conduct or provide for and supervise the examination of candidates and report thereon to the Minister.

(2) The Lieutenant-Governor in Council may appoint such examiners, officers, clerks and servants of the Board as may be deemed necessary. 1927, c. 55, s. 4.

4. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations for:

(a) the examination of candidates, the granting of certificates, the classifying of the holders of these certificates into their respective grades and the evidence to be furnished by candidates as to previous training or experience and sobriety and good character;

(b) determining the time of duration of certificates and their renewal;

(c) fixing the fees to be paid by candidates upon examination and for certificates and their renewal;

(d) prescribing the causes for which a certificate may be revoked, cancelled, or suspended;

(e) fixing the fees or other remuneration to be paid to the members and officers of the Board;

(f) fixing the fees to be paid by plant owners for certificates of registration. 1927, c. 55, s. 5.

5. A person shall not be eligible for examination unless he is a British subject, or has expressed his intention of becoming a Canadian citizen and has the necessary residence qualifications for becoming a Canadian citizen required by the Dominion Naturalization Act and has made application
to the proper authorities for naturalization papers. 1927, c. 55, s. 6.

6.—(1) On the recommendation of the Board, and on payment of the prescribed fees the Minister may issue certificates of qualifications to stationary or hoisting engineers, and certificates of registration to plant owners.

(2) Subject to the regulations a certificate may be revoked, cancelled or suspended by the Minister on the recommendation of the Board at any time.

(3) Every stationary or hoisting engineer shall, during the continuance of his certificate, register with the Board on or before the 1st day of February of each year on a form to be furnished by the Board, and any stationary or hoisting engineer who fails to do so shall not continue in charge of a steam or gas plant.

(4) It shall be the duty of all owners of steam plants and gas plants to advise the Board, on a printed form, supplied by the Board on application, of the horsepower of the plant and pressure at which safety valves on boilers and tanks are set to relieve said pressure. On receipt of which, together with the prescribed fee, the Minister will issue a registration certificate. Any change made in the plant subsequent to registration will necessitate a re-registration of same. 1927, c. 55, s. 7.

7. The duties of an engineer may be performed for a period not exceeding fourteen days by any person, providing the engineer, for reasons other than dismissal, absents himself from his post without having given seven days’ notice; provided that at the end of such period an engineer with the proper qualifications is employed. 1927, c. 55, s. 8.

8. The Board at its discretion may grant a provisional certificate of corresponding horsepower to be good for a period not to exceed one year to any person who holds a stationary or hoisting engineer’s certificate from the Board or other duly constituted authority of any other province of Canada. 1927, c. 55, s. 9.

9.—(1) The certificate of qualification shall at all times be exposed to view in the engine, compressor or boiler room in which the holder thereof is employed, except in the case of a hoisting plant when such certificate shall be carried upon the person of the operator.

(2) The certificate of plant registration shall at all times be exposed to view in the engine, compressor or boiler room of the plant.

(3) Failure to comply with the provisions of subsections 1 and 2 of this section shall be prima facie evidence of the lack of qualification under this Act. 1927, c. 55, s. 10.
This Act shall not apply to firemen, who have had less than six months' experience, or other workmen acting under the personal direction or supervision of any engineer holding a certificate under this Act, who is actually in charge of a steam or gas plant, or to the employees of engine builders or steam or gas plant contractors engaged in installing, setting up or testing a boiler or steam or gas plant. This section shall not apply to hoisting engineers. 1927, c. 55, s. 10.

Any person who deems himself aggrieved by the decision of the Board, may appeal therefrom to the Minister, upon giving such notice as the Minister may prescribe, and the decision of the Minister shall be final. 1927, c. 55, s. 11.

The Board shall on or before the 15th day of November in every year make to the Minister a report in writing for the year ending on the 31st day of October of the previous year, showing,—

(a) the number of certificates granted;
(b) the number of applications for certificates refused and the causes for refusal;
(c) the number of certificates revoked, cancelled or suspended, and the causes for the same;
(d) the amount of fees received from candidates or holders of certificates;
(e) the number of plants registered during the year;
(f) the amount of fees received from plant owners for registration purposes;
(g) such other matters as may be directed by the Minister or the Lieutenant-Governor in Council. 1927, c. 55, s. 12.

Any member of the Board or any inspector, on presentation of authority in writing, signed by the Minister, may enter any premises wherein he has reason to believe there is a steam, gas or hoisting plant and make such inspection as may be necessary to determine whether the provisions of this Act are being complied with.

Any person who interferes with or obstructs a member of the Board or inspector in the exercise of the powers conferred on him, shall incur a penalty not exceeding $100.

Any person impersonating another and presenting himself for examination under a false name, in order to obtain a certificate for a person other than himself, shall incur a penalty of not less than $200. 1927, c. 55, s. 14.
14. Every person who,

(a) except as provided in section 7, operates a steam, gas or hoisting plant as the engineer in charge thereof, or as fireman or oiler at a stationary steam or gas plant under an engineer, without the certificate required by this Act, or employs or permits any person to operate a steam, gas or hoisting plant as the engineer in charge or as fireman or oiler at a stationary steam or gas plant without such certificate; or

(b) is guilty of a contravention of subsection 4 of section 6;

shall incur a penalty of not less than $25. 1927, c. 55, s. 15.

15. It shall be the duty of the inspectors of factories to assist in the enforcement of this Act, to report to the Board any violation thereof and to furnish to the Board such information as they may have as to the conduct and capability of any person holding or applying for a certificate. 1927, c. 55, s. 16.

16. The penalties provided by this Act shall be recoverable under The Summary Convictions Act, and all fees collected shall be remitted to the Chairman of the Board of Stationary and Hoisting Engineers, cheques being made payable to the Treasurer of Ontario. 1927, c. 55, s. 17.