



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

**OCCUPATIONAL HEALTH AND SAFETY ACT  
WORKPLACE HAZARDOUS MATERIALS  
INFORMATION SYSTEM REGULATIONS**

## PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to July 29, 2017. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

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## OCCUPATIONAL HEALTH AND SAFETY ACT WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM REGULATIONS

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## OCCUPATIONAL HEALTH AND SAFETY ACT CHAPTER O-1.01

### WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM REGULATIONS

Pursuant to section 46 of the *Occupational Health and Safety Act* R.S.P.E.I. 1988, Cap. O-1.01, the Board, with the approval of the Lieutenant Governor in Council, made the following regulations:

#### INTERPRETATION

##### 1. Definitions

In these regulations

- (a) “**bulk shipment**” means a shipment of a hazardous product that is contained in any of the following, without intermediate containment or intermediate packaging:
  - (i) a vessel that has a water capacity equal to or greater than 450 litres,
  - (ii) a freight container, road vehicle, railway vehicle or portable tank,
  - (iii) the hold of a ship,
  - (iv) a pipeline;
- (b) “**CAS registry number**” means the identification number assigned to a chemical by the Chemical Abstracts Service, a division of the American Chemical Society;
- (c) “**container**” includes a bag, barrel, bottle, box, can, cylinder, drum or similar package or receptacle but does not include a storage tank;
- (d) “**education**” means the delivery of general or portable information to workers;
- (e) “**fugitive emission**” means a gas, liquid, solid, vapour, fume, mist, fog or dust that escapes from process equipment, emission control equipment or a product where workers may be readily exposed to it;
- (f) “**hazard information**” means information on the proper and safe use, handling and storage of a hazardous product and includes information relating to its health hazards and physical hazards;
- (g) “**hazardous product**” means any product, mixture, material or substance that is classified in accordance with the regulations made under subsection 15(1) of the *Hazardous Products Act* (Canada) in a category or subcategory of a hazard class listed in Schedule 2 of that Act;
- (h) “**Hazardous Products Regulations**” means the Hazardous Products Regulations (SOR/2015-17) made under the *Hazardous Products Act* (Canada);
- (i) “**hazardous waste**” means a hazardous product that is acquired or generated for recycling or recovery or is intended for disposal;

- (j) “**health professional**” means a person who is authorized to practise medicine or nursing under the laws of the province in which the person is practising medicine or nursing, as the case may be;
- (k) “**label**” means a group of written, printed or graphic information elements that relate to a hazardous product, which group is designed to be affixed to, printed on or attached to the hazardous product or the container in which the hazardous product is packaged;
- (l) “**laboratory sample**” means a sample of a hazardous product that is packaged in a container that contains less than 10 kg of the hazardous product and is intended solely to be tested in a laboratory, but does not include a sample that is to be used
  - (i) by the laboratory for testing other products, mixtures, materials or substances, or
  - (ii) for educational or demonstration purposes;
- (m) “**manufactured article**” means any article that is formed to a specific shape or design during manufacture, the intended use of which, when in that form, is dependent in whole or in part on its shape or design, and that when being installed, if the intended use of the article requires it to be installed, and under normal conditions of use will not release or otherwise cause an individual to be exposed to a hazardous product;
- (n) “**product identifier**” means, in respect of a hazardous product, the brand name, chemical name, common name, generic name or trade name;
- (o) “**readily available**” means present in physical or electronic form in an appropriate place at a workplace where it is accessible at all times;
- (p) “**research and development**” means systematic investigation or search carried out in a field of science or technology by means of experiment or analysis, other than investigation or search in respect of market research, sales promotion, quality control or routine testing of hazardous products, and includes
  - (i) applied research, meaning work undertaken for the advancement of scientific knowledge with a specific practical application in view, and
  - (ii) development, meaning the use of the results of applied research for the purposes of creating new, or improving existing, processes or hazardous products;
- (q) “**safety data sheet**” means a document that contains, under the headings that are required to appear in the document in accordance with the regulations made under subsection 15(1) of the *Hazardous Products Act* (Canada), information about a hazardous product, including information related to the hazards associated with any use, handling or storage of the hazardous product at a workplace;
- (r) “**significant new data**” means new data regarding the hazard presented by a hazardous product that
  - (i) changes its classification in a category or subcategory of a hazard class,
  - (ii) results in its classification in another hazard class, or
  - (iii) changes the ways to protect against the hazard presented by the hazardous product;
- (s) “**supplier label**” means a label provided by a supplier that contains information elements as required by the Hazardous Products Regulations;
- (t) “**training**” means the delivery of workplace and job-specific information to workers;
- (u) “**workplace label**” means a label provided by an employer that contains information elements as required by subsection 7(1). (EC455/17)



## APPLICATION

### 2. Application

- (1) Subject to subsections (2) to (4), these regulations apply in respect of hazardous products used, handled, stored or produced at a workplace.

#### Supplier label and safety data sheet provisions not applicable

- (2) The provisions of these regulations in respect of supplier labels and safety data sheets do not apply where the hazardous product is
- (a) an explosive as defined in section 2 of the *Explosives Act* (Canada);
  - (b) a cosmetic, device, drug or food as defined in section 2 of the *Food and Drugs Act* (Canada);
  - (c) a pest control product as defined in subsection 2(1) of the *Pest Control Products Act* (Canada);
  - (d) a nuclear substance, within the meaning of the *Nuclear Safety and Control Act* (Canada), that is radioactive;
  - (e) a consumer product as defined in section 2 of the *Canada Consumer Product Safety Act*.

#### Regulations not applicable to certain hazardous products

- (3) These regulations do not apply where the hazardous product is
- (a) wood or a product made of wood;
  - (b) tobacco or a tobacco product as defined in section 2 of the *Tobacco Act* (Canada);
  - (c) a manufactured article; or
  - (d) a product being transported or handled pursuant to the requirements of the *Transportation of Dangerous Goods Act, 1992* (Canada).

#### Limited application to hazardous waste

- (4) These regulations do not apply to hazardous waste except that the employer shall ensure the safe storage and handling of hazardous waste through a combination of clear identification of hazardous waste and worker education and training. (EC455/17)

## REQUIREMENTS

### 3. Obligation of employer

- (1) Subject to subsection (2), an employer shall ensure that a hazardous product is not used, handled, stored or produced at a workplace unless all of the applicable requirements of these regulations in respect of labels, identifiers, safety data sheets and worker education and training are complied with.

#### Storage pending receipt of information

- (2) An employer may store a hazardous product at a workplace while actively seeking information required by these regulations about the hazardous product. (EC455/17)

## WORKER EDUCATION AND TRAINING

### 4. Hazard information to be supplied to employee

An employer shall ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is informed about all hazard information received from a supplier concerning that hazardous product, if applicable, and any other hazard information the employer is aware of, or ought to be aware of, concerning that hazardous product. (EC455/17)

### 5. Education required

(1) An employer shall ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is educated respecting

- (a) the content required on a supplier label and a workplace label and the purpose and significance of the information contained on those labels; and
- (b) the content required on a safety data sheet and the purpose and significance of the information contained on a safety data sheet.

#### Training in procedures required

(2) An employer shall ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is trained in the following procedures:

- (a) procedures for the safe use, handling, storage and disposal of the hazardous product;
- (b) procedures for the safe use, handling, storage and disposal of a hazardous product contained or transferred in
  - (i) a pipe or a piping system including valves,
  - (ii) a process vessel or reaction vessel, or
  - (iii) a tank car, tank truck, ore car, conveyer belt or similar conveyance;
- (c) procedures to be followed when fugitive emissions are present; and
- (d) procedures to be followed in an emergency situation involving a hazardous product.

#### Development of education and training

(3) An employer shall ensure that the education and training required under subsections (1) and (2) are developed and implemented at a workplace in consultation with the committee or representative at the workplace, as applicable.

#### Comprehension by employee

- (4) An employer shall ensure, so far as is reasonably practicable, that
- (a) the education and training required under subsections (1) and (2) result in a worker being able to apply the information as needed to protect the worker's health and safety; and
  - (b) the knowledge of workers about matters referred to in subsections (1) and (2) is periodically evaluated using written tests, practical demonstrations or other suitable means.

#### Review

(5) An employer shall, at least annually and more frequently if required by a change in work conditions or available hazard information, in consultation with the committee or





representative at a workplace, as applicable, review the education and training developed and provided to workers in accordance with this section. (EC455/17)

## LABELS AND OTHER IDENTIFIERS

### SUPPLIER LABELS

#### 6. Supplier label required

- (1) Subject to any exemptions from labelling requirements in the Hazardous Products Regulations, an employer shall ensure that a hazardous product or container in which a hazardous product is packaged that is received at a workplace has a supplier label affixed to, printed on or attached to it.

#### Defacing, etc., label

- (2) Subject to any exemptions from labelling requirements in the Hazardous Products Regulations, an employer shall not remove, deface, modify or alter a supplier label on a container in which a hazardous product is packaged that was received at a workplace, while any amount of the hazardous product remains in that container.

#### Replacement of label

- (3) Where a label on a hazardous product or container in which a hazardous product is packaged becomes illegible or is removed from the hazardous product or container, the employer shall replace the label with either a supplier label or a workplace label.

#### Exception

- (4) Subsections (2) and (3) do not apply where the label is removed under normal conditions of use from a container with a capacity of 3 ml or less in which a hazardous product is packaged and the label interferes with the normal use of the product.

#### Update label

- (5) An employer shall update a label on a hazardous product or container in which a hazardous product is packaged as soon as reasonably practicable after a supplier provides significant new data in respect of the hazardous product to the employer.

#### No supplier label, import

- (6) Where, pursuant to the exemption provided in section 5.15 of the Hazardous Products Regulations, an employer imports and receives at a workplace a hazardous product or container in which a hazardous product is packaged without a supplier label or with a label that does not comply with the Hazardous Products Regulations, the employer shall
  - (a) before the hazardous product is used by a worker at the workplace, affix or attach a workplace label to the hazardous product or container in which the hazardous product is packaged; and
  - (b) before selling or distributing the hazardous product, affix or attach a supplier label to the hazardous product or container in which the hazardous product is packaged.

#### No supplier label, bulk shipment or unpackaged

- (7) Where, pursuant to the exemption provided in subsection 5.5(2) of the Hazardous Products Regulations, an employer receives at a workplace a bulk shipment or unpackaged hazardous product without a supplier label, the employer shall affix or attach a label having the

information required on a supplier label to the hazardous product or the container in which the hazardous product is packaged at the workplace. (EC455/17)

## WORKPLACE LABELS

### 7. Required contents, workplace label

- (1) A workplace label shall
- (a) contain a product identifier that is identical to the product identifier found on the safety data sheet for the hazardous product;
  - (b) contain information for the safe handling of the hazardous product, conveyed in a manner appropriate to the workplace; and
  - (c) disclose that a safety data sheet for the hazardous product, if supplied or produced, is available.

#### Update label

- (2) An employer shall update a workplace label on a hazardous product or container in which a hazardous product is packaged as soon as reasonably practicable after significant new data in respect of the hazardous product becomes available to the employer. (EC455/17)

### 8. Workplace label for product produced at workplace

- (1) Subject to section 12, where a hazardous product is produced at a workplace, the employer shall ensure that a workplace label is affixed to, printed on or attached to the hazardous product or container in which the hazardous product is packaged.

#### Exceptions

- (2) Subsection (1) does not apply
- (a) in respect of a fugitive emission produced at a workplace; or
  - (b) when the hazardous product is in a container that is intended to contain the hazardous product for sale or disposition and the container is, or is about to be, appropriately labelled for sale or disposition. (EC455/17)

### 9. Workplace label for decanted products

- (1) Subject to section 12, where a hazardous product at a workplace is in a container other than the container in which it was received from a supplier, the employer shall ensure that a workplace label is affixed to, printed on or attached to the container.

#### Exception

- (2) Subsection (1) does not apply in respect of a portable container that is filled directly from a container that has a supplier label or workplace label affixed to, printed on or attached to it, if
- (a) all of the hazardous product in the portable container is required for immediate use; or
  - (b) the portable container is under the control of, and used exclusively by, the worker who filled the portable container and the hazardous product in the portable container is clearly identified and used only during the shift in which the portable container is filled. (EC455/17)



## PIPES, VESSELS AND CONVEYANCES

### 10. Identification, pipes or vessels

An employer shall ensure that a hazardous product is identified through colour coding, a label, a placard or another mode of identification when the hazardous product is contained or transferred at a workplace in any of the following:

- (a) a pipe or piping system including valves;
- (b) a process vessel or reaction vessel;
- (c) a tank car, tank truck, ore car, conveyer belt or similar conveyance. (EC455/17)

## PLACARDS

### 11. Use of placard instead of label

Despite subsections 6(1), (6) and (7), 8(1) and 9(1), an employer may, instead of meeting the labelling requirements in those provisions, post a placard that discloses the information required on a workplace label and is of a size and in a location that the information on the placard is conspicuous and clearly legible to workers, if the hazardous product is

- (a) not in a container;
- (b) in a container or form intended for export; or
- (c) in a container that is intended to contain the hazardous product for sale or distribution and is to be appropriately labelled for sale or distribution within the normal course of the employer's business, without undue delay. (EC455/17)

## LABORATORIES

### 12. Laboratory sample from supplier

- (1) Where an employer receives at a workplace a laboratory sample that is subject to a labelling exemption under subsection 5(5) or (6) of the Hazardous Products Regulations, the employer shall ensure that a label that meets the requirements of subsection (2), provided by the supplier, is affixed to, printed on or attached to the container in which the laboratory sample is packaged.

#### Contents of label

- (2) A label under subsection (1) shall
  - (a) if known by the supplier, display the chemical name or the generic chemical name of any material or substance in the hazardous product that,
    - (i) individually, is classified pursuant to the *Hazardous Products Act* (Canada) and the Hazardous Products Regulations in any category or subcategory of a health hazard class and is present above the relevant concentration limit, or
    - (ii) in the case of a mixture, is present at a concentration that results in the mixture being classified pursuant to the *Hazardous Products Act* (Canada) and the Hazardous Products Regulations in a category or subcategory of any health hazard class; and
  - (b) contain the statement "Hazardous Laboratory Sample. For hazard information or in an emergency, call/ Échantillon pour laboratoire de produit dangereux. Pour obtenir

des renseignements sur les dangers ou en cas d'urgence, composez" followed by an emergency telephone number to use to obtain the information that must be provided on the safety data sheet of the hazardous product.

**Workplace label not required**

- (3) Subsection 8(1) does not apply in respect of a hazardous product produced in a workplace and subsection 9(1) does not apply in respect of a hazardous product that is in a container other than the container in which it was received from a supplier, if
- (a) the hazardous product is
    - (i) a laboratory sample,
    - (ii) intended by the employer solely for use, analysis, testing or evaluation in a laboratory, and
    - (iii) clearly identified, in accordance with subsection (5); and
  - (b) each worker who works with the hazardous product or may be exposed to the hazardous product in the course of the worker's work activities has been educated and trained about the safe use, handling and storage of the hazardous product, in accordance with subsection (5).

**Idem**

- (4) Subsection 8(1) does not apply in respect of a hazardous product that is produced in a laboratory if
- (a) the hazardous product is
    - (i) not removed from the laboratory,
    - (ii) intended by the employer solely for evaluation, analysis, or testing for research and development, and
    - (iii) clearly identified, in accordance with subsection (5); and
  - (b) each worker who works with the hazardous product or may be exposed to the hazardous product in the course of the worker's work activities has been educated and trained about the safe use, handling and storage of the hazardous product, in accordance with subsection (5).

**Identification, education and training**

- (5) An employer shall ensure that the mode of identification of a hazardous product and the education and training referred to in subsections (3) and (4) enable a worker to identify the hazardous product and obtain information in respect of the hazardous product that would be required on a safety data sheet for the hazardous product or on a label referred to in subsection (1). (EC455/17)

## SAFETY DATA SHEETS

### SUPPLIER SAFETY DATA SHEETS

**13. Hazardous product received from supplier**

- (1) An employer who acquires a hazardous product for use, handling or storage at a workplace shall obtain from the supplier of the hazardous product a safety data sheet for the hazardous product that complies with the requirements of the Hazardous Products Regulations.



**Exception**

- (2) Subsection (1) does not apply to an employer in respect of a hazardous product if the supplier of the hazardous product is exempt under the Hazardous Products Regulations from the requirement to provide a safety data sheet for the hazardous product.

**Employer to update**

- (3) An employer shall update the supplier safety data sheet with any significant new data about the hazardous product as soon as reasonably practicable after the data or information is provided by the supplier or otherwise becomes available to the employer.

**Employer may provide different format, additional information**

- (4) An employer may provide at a workplace a safety data sheet in a format different from the format of, or containing hazard information additional to the hazard information provided in, the supplier safety data sheet, if
- (a) subject to sections 18 and 19, the employer's safety data sheet contains no less content than the supplier safety data sheet; and
  - (b) the supplier safety data sheet is available at the workplace and the employer's safety data sheet discloses its availability. (EC455/17)

## EMPLOYER SAFETY DATA SHEET

**14. Hazardous product produced at workplace**

- (1) Where an employer produces a hazardous product at a workplace, the employer shall prepare a safety data sheet in respect of that hazardous product that discloses the information required under the Hazardous Products Regulations.

**Exceptions**

- (2) Subsection (1) does not apply in respect of a fugitive emission or an intermediate product undergoing a reaction within a reaction vessel or process vessel.

**Updating safety data sheet**

- (3) An employer shall update the employer's safety data sheet as soon as practicable but not later than 90 days after significant new data about the hazardous product becomes available to the employer. (EC455/17)

**15. Toxicological data**

An employer shall disclose as soon as practicable any source of toxicological data used in preparing a safety data sheet for a hazardous product manufactured at a workplace, at the request of

- (a) an officer;
- (b) a worker or the committee or representative at a workplace; or
- (c) where there is no committee or representative at a workplace, a person representing the workers at the workplace. (EC455/17)

## AVAILABILITY OF SAFETY DATA SHEETS

### 16. Readily available

- (1) An employer shall ensure that a copy of a safety data sheet required under section 13 or 14, or otherwise provided by a supplier or prepared by an employer, in respect of a hazardous product is readily available to
- (a) each worker who works with the hazardous product or may be exposed to the hazardous product in the course of the worker's work activities; and
  - (b) the committee or representative at the workplace, as applicable.

### Consultation

- (2) An employer shall consult with the committee or representative at a workplace, as applicable, on the best means to comply with subsection (1). (EC455/17)

## CONFIDENTIAL BUSINESS INFORMATION

### CLAIM FOR EXEMPTION

### 17. Confidential business information

- (1) An employer who is required pursuant to these regulations to disclose any of the following information on a safety data sheet or a label may, if the employer considers it to be confidential business information, claim an exemption from the requirement to disclose that information:
- (a) in the case of a material or substance that is a hazardous product
    - (i) the chemical name of the material or substance,
    - (ii) the CAS registry number, or any other unique identifier, of the material or substance, and
    - (iii) the chemical name of any impurity, stabilizing solvent or stabilizing additive that is present in the material or substance, that is classified in a category or subcategory of a health hazard class under the *Hazardous Products Act* (Canada) and that contributes to the classification of the material or substance in the health hazard class under that Act;
  - (b) in the case of an ingredient that is in a mixture that is a hazardous product,
    - (i) the chemical name of the ingredient,
    - (ii) the CAS registry number, or any other unique identifier, of the ingredient, and
    - (iii) the concentration or concentration range of the ingredient;
  - (c) in the case of a material, substance or mixture that is a hazardous product, the name of any toxicological study that identifies the material or substance or any ingredient in the mixture;
  - (d) the product identifier of a hazardous product;
  - (e) information about a hazardous product, other than the product identifier, that constitutes a means of identification; and
  - (f) information that could be used to identify a supplier of a hazardous product.



**Powers of Minister of Health (Canada)**

- (2) Pursuant to section 47 of the *Hazardous Materials Information Review Act* (Canada), the Minister of Health (Canada) may provide for a claim referred to under subsection (1) to be filed, reviewed and determined in accordance with the *Hazardous Materials Information Review Act* (Canada).

**Employer to abide by federal Act**

- (3) An employer who files a claim in accordance with this section shall abide by any decision or order issued in accordance with the *Hazardous Materials Information Review Act* (Canada) in relation to the claim.

**Meaning of “claim”**

- (4) In sections 18 and 19, “claim” means a claim filed in accordance with this section. (EC455/17)

**INTERIM EXEMPTION****18. Interim exclusion**

- (1) Despite any other section of these regulations, an employer who files a claim may exclude information that is the subject of the claim from a safety data sheet or label from the date the claim is filed until
- (a) the end of the time period specified in an order that was issued by a screening officer under subsection 16(1) or 17(1) of the *Hazardous Materials Information Review Act* (Canada); or
  - (b) in any other case, 30 days have expired after the final disposition of the proceedings in relation to the claim.

**Disclosure of claim information**

- (2) An employer who excludes information from a safety data sheet or label pursuant to subsection (1) shall include the following on the safety data sheet or label, as the case may be:
- (a) the date that the claim was filed;
  - (b) the registry number assigned to the claim in accordance with the *Hazardous Materials Information Review Act* (Canada).

**Modified safety data sheet**

- (3) Where an employer files a claim for an exemption from a requirement to disclose information referred to in clause 17(1)(a) or subclause 17(1)(b)(i) or (ii) about a hazardous product produced at the workplace, the employer shall disclose the following on the safety data sheet for that hazardous product in place of the information elements listed in clauses 3(1)(a), (b), (c) and (d) or (2)(a), (b) and (c) of Schedule 1 to the Hazardous Products Regulations:
- (a) in the case of a hazardous product that is a material or substance, the generic chemical name of the material or substance; or
  - (b) in the case of a hazardous product that is a mixture, the generic chemical name of each material or substance in the mixture that, individually, is classified in any category or subcategory of a health hazard class under the *Hazardous Products Act* (Canada) and is present above the applicable concentration limit or is present at a concentration that results in the mixture being classified in a category or subcategory of any health hazard class under that Act.

**Idem**

- (4) Where an employer files a claim for an exemption from a requirement to disclose information referred to in subclause 17(1)(b)(iii) about a hazardous product produced at the workplace, the employer may exclude the information element listed in clause 3(2)(d) of Schedule I to the Hazardous Products Regulations from the safety data sheet for that hazardous product.

**Idem**

- (5) Where an employer files a claim for an exemption from a requirement to disclose information referred to in clause 17(1)(d) about a hazardous product produced at the workplace, the employer shall disclose a code name or code number for the hazardous product in place of the product identifier on the safety data sheet for that hazardous product. (EC455/17)

## EXEMPTION

### 19. Valid claim

- (1) Despite any other section of these regulations, where a claim or portion of a claim is found to be valid, the employer may exclude the information that has been found to be confidential business information from a safety data sheet or a label, as applicable, during the three years following the final disposition of the claim.

#### Disclosure of decision information

- (2) An employer who excludes information from a safety data sheet or a label pursuant to subsection (1) shall include the following on the safety data sheet or the label, as the case may be:
- (a) a statement that a claim for exemption from a requirement to disclose information the employer considers to be confidential business information on a safety data sheet or a label has been found to be valid and the information is exempt from disclosure;
  - (b) the date of the final disposition of the claim; and
  - (c) the registry number assigned to the claim under the *Hazardous Materials Information Review Act* (Canada). (EC455/17)

## CONFIDENTIALITY OF INFORMATION

### 20. Disclosure of information by officer

- (1) An officer or any other official of the government who obtains information pursuant to clause 46(2)(e) of the *Hazardous Materials Information Review Act* (Canada) shall keep the information confidential and shall not disclose the information to any person except for the purpose of the administration or enforcement of the *Occupational Health and Safety Act* and its regulations.

#### Disclosure of information by third party

- (2) Any person to whom information is disclosed pursuant to subsection (1) shall keep the information confidential and shall not disclose the information to another person. (EC455/17)





**21. Disclosure of information in medical emergencies**

- (1) An employer shall disclose any information in the employer's possession about a hazardous product that is, or was, at a workplace, including information that is exempt from disclosure, to a health professional who requests information on the hazardous product for the purpose of making a medical diagnosis or treating a person in an emergency.

**Disclosure of exempt information by health professional**

- (2) A health professional who, pursuant to subsection (1), obtains information that is exempt from disclosure shall not disclose the information to another person except for the purpose of making a medical diagnosis or treating a person in an emergency, provided the employer has informed the health professional that the information is to be kept confidential and not disclosed to another person. (EC455/17)

**22. Use, etc., of confidential information**

No person other than an employer shall use or disclose information that is exempt from disclosure except as provided by sections 20 and 21. (EC455/17)

**23. TRANSITIONAL PROVISIONS**

- (1) In this section,
- (a) "Controlled Products Regulations" means the Controlled Products Regulations (SOR/88-66) made under the *Hazardous Products Act* (Canada);
  - (b) "employer transition period" means the period beginning on the day these regulations come into force and ending on November 30, 2018;
  - (c) "former regulations" means the Workplace Hazardous Materials Information System Regulations (EC577/88) as they read immediately before these regulations came into force;
  - (d) "supplier transition period" means the period beginning on the day these regulations come into force and ending on August 31, 2018.

**References to terms in other legislation**

- (2) For the purposes of this section,
- (a) a reference to a controlled product in the Controlled Products Regulations is understood to mean a hazardous product; and
  - (b) a reference to the *Hazardous Products Act* (Canada) in the former regulations is understood to mean the *Hazardous Products Act* (Canada) as it read immediately before February 11, 2015.

**Hazardous products received at workplace**

- (3) During the supplier transition period, in respect of a hazardous product that an employer receives at a workplace, the requirements of these regulations in respect of a supplier label and a safety data sheet provided by a supplier do not apply, if the employer meets the requirements in respect of a supplier label and a supplier material safety data sheet, as applicable, set out in the former regulations.

**Hazardous product present at workplace**

- (4) During the employer transition period, in respect of a hazardous product that is present at a workplace, the requirements of these regulations in respect of a supplier label, a workplace label and a safety data sheet do not apply, if the employer meets the requirements in respect

of a supplier label or workplace label and a material safety data sheet, as applicable, set out in the former regulations.

**Education and training**

- (5) Where an employer meets the requirements set out in the former regulations in accordance with subsection (3) or (4), the employer shall meet the education and training requirements in section 5 of the former regulations. (EC455/17)

**24. Revocation**

The Workplace Hazardous Materials Information System Regulations (EC577/88) are revoked. (EC455/17)

