

EC2017-429

ELECTRIC POWER ACT
CITY OF SUMMERSIDE ELECTRIC UTILITY
ANNUAL ASSESSMENT
DETERMINED

Pursuant to clause 46(2)(a) of the *Electric Power Act* R.S.P.E.I. 1988, Cap. E-4, Council determined the assessment to be paid by the City of Summerside Electric Utility to the Island Regulatory and Appeals Commission for the 2017-2018 fiscal year to be twenty thousand dollars (\$20,000.00).

EC2017-430

EXECUTIVE COUNCIL ACT
MINISTER OF JUSTICE AND PUBLIC SAFETY
AUTHORITY TO ENTER INTO AN AGREEMENT
(PROVINCIAL INTEGRATED
COMMUNICATION SYSTEM II FOR RCMP)
WITH
PUBLIC WORKS AND GOVERNMENT SERVICES CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Justice and Public Safety to enter into an amended contractual arrangement agreement with Public Works and Government Services Canada, for payment for the Provincial Integrated Communication System II provided to the RCMP "L" Division, for the period from the date of signing to March 31, 2018, such as more particularly described in the draft agreement.

EC2017-431

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
ALLAN EQUIPMENT MANUFACTURING LTD.
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a loan in the amount of three hundred thousand dollars (\$300,000.00) to Allan Equipment Manufacturing Ltd. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

Further, Council authorized recession of Order-in-Council EC2014-403 dated June 19, 2014.

EC2017-432

FINANCIAL ADMINISTRATION ACT
 AUTHORITY TO CANCEL AND DISCLOSE
 CERTAIN DEBT
 PEI GRAIN ELEVATORS CORPORATION

Pursuant to subsection 26(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized cancellation of debt from four (4) accounts owing to the PEI Grain Elevators Corporation in the total amount of \$102,578.23.

Further, pursuant to subsections 26.2(1) and 26.2(4) of the said *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9 Council disclosed the following authorized cancellations:

SCHEDULE
 (CANCELLATIONS)

Borrower	Address	Total Debt, Including Interest
Co-op Atlantic	Moncton, N.B.	\$100,440.31
Debtors under \$25,000 (3)	Various	\$2,137.92
Total		\$102,578.23

EC2017-433

FINANCIAL ADMINISTRATION ACT
 PRINCE EDWARD ISLAND GRAIN ELEVATORS CORPORATION
 GUARANTEE OF LOAN

Having under consideration the recommendation of Treasury Board (reference Minute TB150/17 of July 12, 2017), pursuant to subsection 32(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council agreed to guarantee payment of a revolving line of credit loan by the Prince Edward Island Grain Elevators Corporation (hereinafter referred to as "the borrower") in an amount not exceeding eight million dollars (\$8,000,000.00) (hereinafter referred to as the "guaranteed indebtedness") together with interest thereon at prime minus zero decimal two five (0.25) percent on direct advances or banker's acceptance fee of one decimal three (1.3) percent per annum to the Bank of Nova Scotia of Charlottetown, Prince Edward Island (hereinafter referred to as "the lender"), from the 20th day of July, 2017 through to and including 1700 hours on the 31st day of July, 2018, the said guarantee to be subject to and conditional upon the following terms and conditions:

1. The guaranteed indebtedness, including interest, shall be due and payable in full by the borrower no later than the 31st day of July, 2018.
2. Any advances made by the lender after the 31st day of July, 2018 shall not form part of the guaranteed indebtedness.
3. The guarantee shall absolutely expire and be null and void without notice to the lender at 1700 hours on the 31st day of July, 2018 regardless of any advances that may have been made by the lender to the borrower unless on or before the 31st day of July, 2018 notice has been given to the Government of Prince Edward Island, as represented by the Minister of Finance that the borrower has defaulted in repayment of the guaranteed indebtedness to the lender, and calling upon the Minister of Finance to pay the lender pursuant to the guarantee. The written notice

shall include a copy of the written demand given by the lender to the borrower calling upon the borrower to pay the balance in full.

4. Government shall be entitled at any time to terminate the guarantee by paying to the lender such amount of the guaranteed indebtedness as may be owing by the borrower to the lender and the lender shall assign to the government all security the lender holds in connection with the guaranteed indebtedness.
5. The Minister of Finance may add such further terms and conditions to the guarantee as he considers appropriate.
6. The guarantee shall not become effective until the lender has agreed in writing to the terms and conditions herein contained and those imposed by the Minister of Finance pursuant to paragraph 5 above. The guaranteed indebtedness shall not include any advances made by the lender prior to the agreement by the lender with the terms and conditions herein contained and those imposed by the Minister of Finance.
7. Order-in-Council EC2016-391 of June 28, 2016 is hereby rescinded.

EC2017-434

HERITAGE PLACES PROTECTION ACT HERITAGE PLACES ADVISORY BOARD APPOINTMENT

Pursuant to subsection 3(1) of the *Heritage Places Protection Act* R.S.P.E.I. 1988, Cap. H-3.1, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Michael O'Grady Charlottetown (reappointed)	30 July 2017 to 30 July 2020

EC2017-435

HOUSING CORPORATION ACT GEORGETOWN HOUSING AUTHORITY APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member and chairperson	
Jerry MacKenzie Georgetown (reappointed)	21 June 2006 to 21 June 2021
as member and vice-chairperson	
Kenny Aitken Georgetown (reappointed)	21 June 2017 to 21 June 2020

as members

Mark Gotell Georgetown (reappointed)	21 June 2016 to 21 June 2019
Mark King Georgetown (reappointed)	21 June 2013 to 21 June 2019
Gordon Lavers Georgetown (reappointed)	21 June 2016 to 21 June 2019
Robert LaVie Georgetown (reappointed)	21 June 2015 to 21 June 2021

EC2017-436

HOUSING CORPORATION ACT
MOUNT STEWART HOUSING AUTHORITY
APPOINTMENTS

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME **TERM OF APPOINTMENT**

as member and chairperson

Colleen Mullen-Doyle Mount Stewart (reappointed)	21 June 2015 to 21 June 2021
--	------------------------------------

as member and vice-chairperson

Raymond McAdam-Young Mount Stewart (reappointed)	21 June 2015 to 21 June 2021
--	------------------------------------

as members

Mearl Crane Mount Stewart (reappointed)	21 June 2013 to 21 June 2019
Angela MacCormac Dunstaffnage (vice Daniel MacGregor, deceased)	20 July 2017 to 20 July 2020
Delmar McInnis Savage Harbour (reappointed)	21 June 2013 to 21 June 2019

Joe McKenna	21 June 2016
St. Andrews	to
(reappointed)	21 June 2019

EC2017-437

**HOUSING CORPORATION ACT
SOURIS HOUSING AUTHORITY
APPOINTMENTS**

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
-------------	----------------------------

as member and chairperson

Mary Lang	21 June 2015
Souris	to
(reappointed)	21 June 2021

as member and vice-chairperson

Arthur Baker	21 June 2013
Souris	to
(reappointed)	21 June 2019

as members

Timmy Carter	21 June 2015
Souris	to
(reappointed)	21 June 2021

Star Misener	21 June 2017
Souris	to
(reappointed)	21 June 2020

Anne Marie Whalen	21 June 2016
Souris	to
(reappointed)	21 June 2019

Barry Wilson	21 June 2013
Fortune	to
(reappointed)	21 June 2019

EC2017-438

**HOUSING CORPORATION ACT
TIGNISH HOUSING AUTHORITY
APPOINTMENTS**

Pursuant to subsection 10(3) of the *Housing Corporation Act* R.S.P.E.I. 1988, Cap. H-11.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
as member and chairperson	
June Watterson St. Felix (reappointed)	21 June 2015 to 21 June 2020
as member and vice chairperson	
Ethel Ellsworth-Gallant Tignish (reappointed)	21 June 2016 to 21 June 2019
as members	
Colin Arsenault Tignish (reappointed)	21 June 2016 to 21 June 2019
Roy Pedersen Tignish (vice Angela Anne Callaghan, term expired)	20 July 2017 to 20 July 2020
Lorraine Peters Tignish (reappointed)	21 June 2016 to 21 June 2019

EC2017-439

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
GETHIN EDWARD AND MARGARET EDWARD
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Gethin Edward and Margaret Edward, both of Tisdale, Saskatchewan to acquire a land holding of approximately twelve decimal seven five (12.75) acres of land at Flat River, Lot 60, Queens County, Province of Prince Edward Island, being acquired from John Daniel Bears and Doreen Bears, both of Wood Islands, Prince Edward Island PROVIDED THAT the portion of the said real property that has not received planning approval, being approximately six (6) acres, is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-440

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CHARLES FLEISCHMANN, III EXEMPT TRUST
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Charles Fleischmann, III Exempt Trust of Columbus, Ohio to acquire a land holding of approximately seventy-one (71) acres of land at Goose River, Lot 42, Kings County, Province of Prince Edward Island, being acquired from Riverside Corporation as Nominee for the Burd Blair S. Fleischmann Trust of Cincinnati, Ohio PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-441

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RACHEL MACPHERSON AND CHRISTIAN QUESNEL
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Rachel MacPherson and Christian Quesnel, both of Dalkeith, Ontario to acquire a land holding of approximately eleven decimal zero six (11.06) acres of land at Burton, Lot 7, Prince County, Province of Prince Edward Island, being acquired from Brett Oatway, Brian Hiscock and Laurie Hiscock, all of Burton, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-442

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 FENG WEI PENG-DILLORENZO AND JUDY YEUEH-YUN CHIUEN
 (DENIAL)

Council, having under consideration an application (#N5649) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Feng Wei Peng-Dillorenzo of New York, New York and Judy Yeueh-yun Chiuen of New Hyde Park, New York to acquire a land holding of approximately forty-five (45) acres of land at Heatherdale, in Lot 59, Kings County, currently owned by Lawrence Millar and Norma Millar, both of Montague, Prince Edward Island.

EC2017-443

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PAUL S. SELZER, BLAIR S. FLEISCHMANN,
 AMI L. VANOVER, ESQ., AND MAGDA L. FLECKNER, ESQ.
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Paul S. Selzer and Blair S. Fleischmann, both of Cincinnati, Ohio; Ami L. Vanover, Esq. of Columbus, Ohio, and Magda L. Fleckner, Esq. of Boston, Massachusetts, to acquire an interest in a land holding of approximately seventy-one (71) acres of land at Goose River, Lot 42, Kings County, Province of Prince Edward Island, being acquired from Riverside Corporation as Nominee for the Burd Blair S. Fleischmann Trust of Cincinnati, Ohio.

EC2017-444

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 STEFAN STREBEL AND VALERIE RODEL
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Stefan Strebel and Valerie Rodel, both of North Milton, Prince Edward Island to acquire a land holding of approximately sixty-three decimal six (63.6) acres of land at Oyster Bed Bridge, Lot 24, Queens County, Province of Prince Edward Island, being acquired from Jessica Anne Vandenburg of North Milton, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-445

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STEFAN STREBEL AND VALERIE RODEL
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Stefan Strebel and Valerie Rodel, both of North Milton, Prince Edward Island, to acquire, by lease, an interest in a land holding of approximately eighty-five (85) acres of land at Milton Station, Lot 32, Queens County, Province of Prince Edward Island, being acquired from Therin Neill of Milton Station, Prince Edward Island.

EC2017-446

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STEFAN STREBEL AND VALERIE RODEL
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Stefan Strebel and Valerie Rodel, both of North Milton, Prince Edward Island, to acquire a land holding of approximately one hundred and forty-six (146) acres of land at North Milton, Lots 32 and 33, Queens County, Province of Prince Edward Island, being acquired from Jessica Anne Vandenburg of North Milton, Prince Edward Island.

EC2017-447

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ABELAINE FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Abelaine Farms Inc. of New Glasgow, Prince Edward Island to acquire a land holding of approximately thirty-nine decimal two five (39.25) acres of land at New Glasgow, Lot 23, Queens County, Province of Prince Edward Island, being acquired from Ian Dickieson of Hunter River, Prince Edward Island PROVIDED THAT approximately thirty-four decimal two five (34.25) acres of the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-448

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ALLAN PITRE FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Allan Pitre Farms Inc. of St. Peters, Prince Edward Island to acquire a land holding of approximately one hundred and fifty-eight decimal zero four (158.04) acres of land at St. Georges and DeGros Marsh, both in Lot 54, Kings County, Province of Prince Edward Island, being acquired from Benny MacPhee Inc. of St. Georges, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-449

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COMPTON BROS. INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Compton Bros. Inc. of Morell, Prince Edward Island to acquire a land holding of approximately sixty-two decimal six (62.6) acres of land at Morell, Lot 39, Kings County, Province of Prince Edward Island, being acquired from Sandy Beach Farms Ltd. of Morell, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-450

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
COMPTON BROS. INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Compton Bros. Inc. of Morell, Prince Edward Island to acquire a land holding of approximately thirty decimal eight (30.8) acres of land at Morell, Lot 39, Kings County, Province of Prince Edward Island, being acquired from Sandy Beach Farms Ltd. of Morell, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-451

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MITCHLAN TRANSPORT INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Mitchlan Transport Inc. of Montrose, Prince Edward Island to acquire a land holding of approximately three decimal three (3.3) acres of land at Montrose, Lot 3, Prince County, Province of Prince Edward Island, being acquired from W.P. Griffin Inc. of Elmsdale, Prince Edward Island.

EC2017-452

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RAMSAY FARMS LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Ramsay Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately forty-three decimal eight two (43.82) acres of land at Duvar, Lot 5, Prince County, Province of Prince Edward Island, being acquired from Ronald Gallant and Donna Gallant, both of Duvar, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2017-453

MEDICAL ACT
COUNCIL OF THE COLLEGE OF PHYSICIANS AND SURGEONS
OF PRINCE EDWARD ISLAND
APPOINTMENT

Pursuant to clause 7(1)(c) of the *Medical Act* R.S.P.E.I. 1988, Cap. M-5, Council made the following appointment:

NAME	TERM OF APPOINTMENT
Verna Barlow	20 July 2017
Ellerslie	to
(vice Barbara H. Currie, term expired)	20 July 2020

EC2017-454

**NATURAL PRODUCTS MARKETING ACT
PRINCE EDWARD ISLAND MARKETING COUNCIL
APPOINTMENT**

Pursuant to subsection 2(2) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Charles Murphy	20 July 2017
Vernon Bridge	to
(vice Michael Carmichael, term expired)	20 July 2020

EC2017-455**OCCUPATIONAL HEALTH AND SAFETY ACT**

**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. In these regulations**
- | | |
|--|---------------------|
| | Definitions |
| (a) "bulk shipment" means a shipment of a hazardous product that is contained in any of the following, without intermediate containment or intermediate packaging: | bulk shipment |
| (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; | CAS registry number |
| (c) "container" includes a bag, barrel, bottle, box, can, cylinder, drum or similar package or receptacle but does not include a storage tank; | container |
| (d) "education" means the delivery of general or portable information to workers; | education |
| (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; | fugitive emission |
| (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; | hazard information |
| (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 <i>Hazardous Products Act</i> (Canada) in a category or subcategory of a hazard class listed in Schedule 2 of that Act; | hazardous product |

- (h) “Hazardous Products Regulations” means the Hazardous Products Regulations (SOR/2015-17) made under the *Hazardous Products Act* (Canada); Hazardous Products Regulations
- (i) “hazardous waste” means a hazardous product that is acquired or generated for recycling or recovery or is intended for disposal; hazardous waste
- (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; health professional
- (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; label
- (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; laboratory sample
- (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; manufactured article
- (n) “product identifier” means, in respect of a hazardous product, the brand name, chemical name, common name, generic name or trade name; product identifier
- (o) “readily available” means present in physical or electronic form in an appropriate place at a workplace where it is accessible at all times; readily available
- (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; research and development
- (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; safety data sheet
- (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; significant new data
- (s) “supplier label” means a label provided by a supplier that contains information elements as required by the Hazardous Products Regulations; supplier label
- (t) “training” means the delivery of workplace and job-specific information to workers; training
- (u) “workplace label” means a label provided by an employer that contains information elements as required by subsection 7(1). workplace label

APPLICATION

2. (1) Subject to subsections (2) to (4), these regulations apply in respect of hazardous products used, handled, stored or produced at a workplace. Application
- (2) The provisions of these regulations in respect of supplier labels and safety data sheets do not apply where the hazardous product is Supplier label and safety data sheet provisions not applicable
- (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*.
- (3) These regulations do not apply where the hazardous product is Regulations not applicable to certain hazardous products
- (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).
- (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. Limited application to hazardous waste

REQUIREMENTS

3. (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. Obligation of employer
- (2) An employer may store a hazardous product at a workplace while actively seeking information required by these regulations about the hazardous product. Storage pending receipt of information

WORKER EDUCATION AND TRAINING

4. 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. Hazard information to be supplied to employee
5. (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 Education required
- (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.
- (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: Training in procedures required
- (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.
- (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. Development of education and training
- (4) An employer shall ensure, so far as is reasonably practicable, that Comprehension by employee
- (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.
- (5) An employer shall, at least annually and more frequently if Review 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.

LABELS AND OTHER IDENTIFIERS

Supplier Labels

6. (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. Supplier label required
- (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. Defacing, etc., 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. Replacement of label
- (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. Exception
- (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. Update label
- (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 No supplier label, import
- (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.
- (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 No supplier label, bulk shipment or unpackaged

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.

Workplace Labels

- 7.** (1) A workplace label shall Required contents,
workplace label
- (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.
- (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. Update label
- 8.** (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. Workplace label for
product produced at
workplace
- (2) Subsection (1) does not apply Exceptions
- (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.
- 9.** (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. Workplace label for
decanted products
- (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 Exception
- (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.

Pipes, Vessels and Conveyances

- 10.** 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: Identification, pipes
or vessels
- (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.

Placards

- 11.** 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 Use of placard
instead of label
- (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.

Laboratories

- 12.** (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. Laboratory sample from supplier
- (2) A label under subsection (1) shall Contents of label
- (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.
- (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 Workplace label not required
- (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).
- (4) Subsection 8(1) does not apply in respect of a hazardous product that is produced in a laboratory if Idem
- (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).
- (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). Identification, education and training

SAFETY DATA SHEETS

Supplier Safety Data Sheets

- 13.** (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. Hazardous product received from supplier

(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.

Exception

(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 to update

(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

Employer may provide different format, additional information

(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.

Employer Safety Data Sheet

14. (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.

Hazardous product produced at workplace

(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.

Exceptions

(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.

Updating safety data sheet

15. 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

Toxicological data

(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.

Availability of Safety Data Sheets

16. (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

Readily available

(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.

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

Consultation

CONFIDENTIAL BUSINESS INFORMATION

Claim for Exemption

17. (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:

Confidential business 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.

(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). Powers of Minister of Health (Canada)

(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. Employer to abide by federal Act

(4) In sections 18 and 19, “claim” means a claim filed in accordance with this section. Meaning of “claim”

Interim Exemption

18. (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 Interim exclusion

- (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.

(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: Disclosure of claim information

- (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).

(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: Modified safety data sheet

- (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.

(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 Idem

the Hazardous Products Regulations from the safety data sheet for that hazardous product.

(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. *Idem*

Exemption

19. (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. *Valid claim*

(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: *Disclosure of decision information*

- (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).

Confidentiality of Information

20. (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 officer*

(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. *Disclosure of information by third party*

21. (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 information in medical emergencies*

(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. *Disclosure of exempt information by health professional*

22. No person other than an employer shall use or disclose information that is exempt from disclosure except as provided by sections 20 and 21. *Use, etc., of confidential information*

TRANSITIONAL PROVISIONS

23. (1) In this section, *Definitions*

(a) "Controlled Products Regulations" means the Controlled Products Regulations (SOR/88-66) made under the *Hazardous Products Act* (Canada); *Controlled Products Regulations*

(b) "employer transition period" means the period beginning on the day these regulations come into force and ending on November 30, 2018; *employer transition period*

- (c) “former regulations” means the Workplace Hazardous Materials Information System Regulations (EC577/88) as they read immediately before these regulations came into force; former regulations
- (d) “supplier transition period” means the period beginning on the day these regulations come into force and ending on August 31, 2018. supplier transition period
- (2) For the purposes of this section, References to terms in other legislation
- (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.
- (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 products received 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. Hazardous product present at workplace
- (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. Education and training
- 24.** The Workplace Hazardous Materials Information System Regulations (EC577/88) are revoked. Revocation
- 25.** These regulations come into force on July 29, 2017. Commencement

EXPLANATORY NOTES

SECTION 1 defines terms used throughout these regulations.

SECTION 2 provides that these regulations apply in respect of hazardous products used, handled, stored or produced at a workplace, subject to exceptions for certain types of hazardous products.

SECTION 3 requires an employer to ensure that a hazardous product is not used, handled, stored or produced at a workplace unless all of the requirements in these regulations respecting labels, identifiers, safety data sheets and worker education and training are met. The section permits an employer to store a hazardous product at a workplace while actively seeking information required by the regulations about the hazardous product.

SECTION 4 requires an employer to 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 available hazard information about that hazardous product.

SECTION 5 requires an employer to 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 the information required on labels and safety data sheets and the purpose and significance of that information. It also requires the employer to ensure those workers are trained in various procedures.

The education and training are to be developed and implemented in consultation with the committee or representative at a workplace and shall be reviewed at least annually. An employer shall ensure that workers are able to apply what they have learned to protect health and

safety at the workplace and that workers are periodically evaluated on what they have learned.

SECTION 6 requires an employer to ensure that a hazardous product or container in which a hazardous product is packaged received at a workplace has a supplier label, subject to any applicable exemptions from labelling requirements under the Hazardous Products Regulations.

It prohibits an employer from removing, defacing, modifying or altering a supplier label and requires an employer to replace a label that becomes illegible or is removed, subject to applicable exemptions and an exception for labels on containers with a capacity of 3 ml or less, where the label interferes with the normal use of the hazardous product. It requires an employer to update a label with significant new data when a supplier provides it to the employer.

It requires an employer to label hazardous products imported and received at a workplace without a supplier label or with a supplier label that doesn't comply with the Hazardous Products Regulations. It sets out the labelling requirements where the hazardous product is to be used at the workplace and where it is to be sold or distributed.

It also requires an employer to label bulk shipments or unpackaged hazardous products received at a workplace without a supplier label.

SECTION 7 sets out the required contents of a workplace label and requires an employer to update a workplace label with significant new data when it becomes available to the employer.

SECTION 8 requires an employer to ensure that a workplace label is affixed to, printed on or attached to a hazardous product produced at a workplace or the container in which a hazardous product produced at a workplace is packaged. It provides that this requirement does not apply in respect of a fugitive emission produced at a workplace or a container in which a hazardous product is packaged intended for sale or disposition that is, or is about to be, appropriately labelled for sale or disposition.

SECTION 9 requires an employer to apply a workplace label to a hazardous product that has been decanted at a workplace after receipt from a supplier, subject to an exception for portable containers.

SECTION 10 requires an employer to ensure that a hazardous product contained or transferred at a workplace in a pipe or piping system with valves, a process vessel or reaction vessel or other listed conveyances is identified through colour coding, a label, a placard or another mode of identification.

SECTION 11 permits an employer to post a placard at the location where a hazardous product is stored at a workplace instead of labelling the hazardous product if the hazardous product is not in a container, is in a container or form intended for export or is in a container intended for sale or distribution and is to be appropriately labelled within the normal course of the employer's business, without undue delay.

The placard must display the information required on a workplace label and be of a size that the information is conspicuous and clearly legible to workers.

SECTION 12 requires an employer to ensure that a laboratory sample subject to a labelling exemption under subsection 5(5) or (6) of the Hazardous Products Regulations that is received by an employer is labelled with a label provided by the supplier that meets the requirements set out in the section.

It provides that a workplace label is not required for a laboratory sample produced or decanted at a workplace if it is intended by the employer solely for use, analysis, testing or evaluation in a laboratory, clearly identified and workers have been provided with education and training

about it so as to enable a worker to identify the hazardous product and obtain specified information about it.

The section also provides that a workplace label is not required for a hazardous product produced in a laboratory if it is not removed from the laboratory, it is intended by the employer solely for evaluation, analysis or testing for research and development, it is clearly identified and workers have been provided with education and training about it so as to enable a worker to identify the hazardous product and obtain specified information about it.

SECTION 13 requires an employer to obtain a safety data sheet for a hazardous product acquired for use, handling or storage at a workplace from the supplier of the hazardous product. This requirement does not apply if the supplier is exempt under the Hazardous Products Regulations from the requirement to supply a safety data sheet.

The employer is required to update the safety data sheet obtained from the supplier with any significant new data or new hazard information 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.

The section permits the employer to provide a safety data sheet in a different format from the supplier's or that includes additional information, if the employer's safety data sheet contains no less information than the supplier's, subject to exemptions, and the supplier's safety data sheet is available at the workplace and the employer's safety data sheet discloses this.

SECTION 14 requires an employer to prepare a safety data sheet that meets the requirements of the Hazardous Products Regulations for a hazardous product produced at a workplace. This requirement does not apply in respect of a fugitive emission or an intermediate product undergoing a reaction within a reaction vessel or process vessel. The section also requires an employer to update the 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.

SECTION 15 requires an employer to disclose to specified persons, on request, toxicological data used in preparing a safety data sheet for a hazardous product manufactured at a workplace.

SECTION 16 requires an employer to 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, is readily available to workers and the committee or representative at a workplace. It requires an employer to consult with the committee or representative at a workplace on the best means to ensure safety data sheets are readily available.

SECTION 17 provides for an employer to claim an exemption from a requirement to disclose specified information that the employer considers to be confidential business information on a label or safety data sheet. It enables the Minister of Health (Canada) to provide for such a claim to be filed, reviewed and determined in accordance with the *Hazardous Materials Information Review Act* (Canada). It requires an employer who files a claim to abide by any decision or order issued in accordance with the federal Act in relation to the claim.

SECTION 18 provides that an employer who files a claim may exclude that information from a label or safety data sheet for a specified period of time pending disposition of the claim. It requires the inclusion of certain claim-related information on a label or safety data sheet from which confidential business information is excluded pursuant to the section. It also sets out information that must be included on a safety data sheet when particular confidential business information is excluded from it pursuant to the section.

SECTION 19 provides that, where a claim or portion of a claim is found to be valid, an employer may exclude information that has been found to be confidential business information from a label or safety data sheet during the three years following the final disposition of the claim. It requires the inclusion of certain claim-related information on a label or safety data sheet from which confidential business information is excluded pursuant to the section.

SECTION 20 requires 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) to keep the information confidential except for the purposes of the administration or enforcement of the *Occupational Health and Safety Act* and its regulations.

SECTION 21 requires an employer to disclose any information in the employer's possession about a hazardous product to a health professional who requests the information for the purpose of making a medical diagnosis or treating a person in an emergency.

A health professional to whom an employer discloses information that is otherwise exempt from disclosure is prohibited from disclosing that information to another person except for the purpose of making a medical diagnosis or treating a person in an emergency, provided that the health professional has been informed that the information is to be kept confidential.

SECTION 22 prohibits the use or disclosure of information that is exempt from disclosure under the regulations by any person other than an employer, except as provided in sections 20 and 21.

SECTION 23 defines terms used in this transitional section. It provides that, during the supplier transition period, in respect of a supplier label and a safety data sheet provided by a supplier for a hazardous product received at a workplace, the requirements under these regulations do not apply if the employer meets the applicable requirements under the former regulations.

The section also provides that, during the employer transition period, in respect of a supplier label or workplace label or a safety data sheet for a hazardous product present at a workplace, the requirements under these regulations do not apply if the employer meets the applicable requirements under the former regulations.

The section also provides for the education and training requirements that an employer is to meet where the employer is meeting the requirements of the former regulations in relation to labels and material safety data sheets.

SECTION 24 revokes the former regulations.

SECTION 25 provides for the commencement of these regulations.

EC2017-456

PUBLIC DEPARTMENTS ACT
ACTING MINISTERS
APPOINTMENTS

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointments were made:

Honourable Alan McIsaac to be Acting Minister of Finance commencing on the 27th day of July 2017, and continuing for the duration of the absence from the Province of Honourable Allen F. Roach.

Honourable Doug Currie to be Acting Minister of Family and Human Services commencing on the 1st day of August 2017, and continuing for the duration of the absence from the Province of Honourable Tina Mundy.

EC2017-457

WORKERS COMPENSATION ACT
WORKERS COMPENSATION APPEAL TRIBUNAL
APPOINTMENTS

Pursuant to subsection 56(7) of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7.1, Council made the following appointments:

NAME	TERM OF APPOINTMENT
-------------	----------------------------

as vice-chairpersons

Rob Burnett Charlottetown	20 July 2017 at pleasure
------------------------------	-----------------------------

Jonah Clements Charlottetown	20 July 2017 at pleasure
---------------------------------	-----------------------------

Maureen Gregory, Q.C. Charlottetown	20 July 2017 at pleasure
--	-----------------------------

David Hooley, Q.C. Charlottetown	20 July 2017 at pleasure
-------------------------------------	-----------------------------

Emily A. MacDonald Charlottetown	20 July 2017 at pleasure
-------------------------------------	-----------------------------

Gordon MacFarlane Summerside	20 July 2017 at pleasure
---------------------------------	-----------------------------

Ron MacLeod Charlottetown	20 July 2017 at pleasure
------------------------------	-----------------------------

Stephen McKnight, Q.C. Summerside	20 July 2017 at pleasure
--------------------------------------	-----------------------------

Susan Robinson, Q.C. Albany	20 July 2017 at pleasure
--------------------------------	-----------------------------

as employer representatives

Cassandra Goodwin Charlottetown	20 July 2017 at pleasure
------------------------------------	-----------------------------

Diana Lariviere Bonshaw	20 July 2017 at pleasure
----------------------------	-----------------------------

Marion Miller Crapaud	20 July 2017 at pleasure
--------------------------	-----------------------------

Robert Smith Montague	20 July 2017 at pleasure
--------------------------	-----------------------------

Scott Stewart Charlottetown	20 July 2017 at pleasure
--------------------------------	-----------------------------

as worker representatives

Shelly Higgins Charlottetown	20 July 2017 at pleasure
---------------------------------	-----------------------------

Marlene Hunt Cornwall	20 July 2017 at pleasure
--------------------------	-----------------------------

Michelle Lafford Charlottetown	20 July 2017 at pleasure
-----------------------------------	-----------------------------

Cynthia McCardle Kinkora	20 July 2017 at pleasure
-----------------------------	-----------------------------

Lalana Paul Melville	20 July 2017 at pleasure
-------------------------	-----------------------------

EC2017-458

WORKERS COMPENSATION ACT WORKERS COMPENSATION BOARD OF PRINCE EDWARD ISLAND APPOINTMENT

Pursuant to subsection 19(2) of the *Workers Compensation Act* R.S.P.E.I. 1988, Cap. W-7.1, Council made the following appointment:

NAME	TERM OF APPOINTMENT
------	---------------------

as worker representative

Dianne Collins Montague (reappointed)	28 February 2013 to 28 February 2019
---	--