

EC2021-107

EXECUTIVE COUNCIL ACT
 MINISTER OF ECONOMIC GROWTH, TOURISM AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (DESTINATION CANADA
 COVID-19 MARKETING RECOVERY FUNDING PROGRAM)
 WITH THE
 CANADIAN TOURISM COMMISSION
 DBA DESTINATION 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 Economic Growth, Tourism and Culture as Minister Responsible for Tourism PEI to enter into an amended global partner agreement with the Canadian Tourism Commission doing business as Destination Canada, for the period June 1, 2020 to September 30, 2021, to support coordinated marketing and communication efforts to promote tourism within the province and other provinces, as provincial restrictions permit, following the impact of COVID-19.

EC2021-108

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2020/2021)
 ISLAND REGULATORY AND APPEALS COMMISSION

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Island Regulatory and Appeals Commission as follows:

Account Class	Account Name	Amount
	Island Regulatory And Appeals Commission/General	
0262-4279	Operating Grant	<u>\$300,000</u>
	Total	<u>\$300,000</u>

EC2021-109

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
101726 P.E.I. 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 101726 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately three decimal two two (3.22) acres of land at York, Lot 34, Queens County, Province of Prince Edward Island, being acquired from Raymond Murphy of Stratford, Prince Edward Island.

EC2021-110

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102153 P.E.I. 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 102153 P.E.I. Inc. of Victoria Cross, Prince Edward Island, to acquire, by way of purchase of shares, an interest in a land holding of approximately seven decimal zero six (7.06) acres of land at Roseneath, Lot 52, Kings County, Province of Prince Edward Island, being acquired from Kenneth MacDonald and Allison MacDonald, both of Montague, Prince Edward Island.

EC2021-111

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
102572 P.E.I. 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 102572 P.E.I. Inc. of Murray Harbour, Prince Edward Island to acquire a land holding of approximately twelve decimal one five (12.15) acres of land at Commercial Cross, Lot 59, Kings County, Province of Prince Edward Island, being acquired from Albert V. Roche of Lower Montague, Prince Edward Island.

EC2021-112

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ADVANCED SHIPPING SYSTEMS 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 Advanced Shipping Systems Inc. of Souris, Prince Edward Island to acquire a land holding of approximately eighteen (18) acres of land at Rock Barra, Lot 45, Kings County, Province of Prince Edward Island, being acquired from Prince Edward Distillery Inc. of Halifax, Nova Scotia, SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Advanced Shipping Systems Inc. and on all successors in title.

EC2021-113

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
AFFLECK CONSTRUCTION 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 Affleck Construction Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately one decimal six two two (1.622) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Montgomery Heights Inc. of New Haven, Prince Edward Island.

EC2021-114

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
AFFLECK CONSTRUCTION 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 Affleck Construction Inc. of Mount Stewart, Prince Edward Island to acquire a land holding of approximately one decimal six four (1.64) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Montgomery Heights Inc. of New Haven, Prince Edward Island.

EC2021-115

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
FALCON PROPERTIES 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 Falcon Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fourteen (14) acres of land at Mermaid, Lot 48, Queens County, Province of Prince Edward Island, being acquired from Dean's Cove Farm Ltd. of Websters Corner, Prince Edward Island.

EC2021-116

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
G.E.M. APARTMENTS LTD.
(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 G.E.M. Apartments Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately four decimal nine eight (4.98) acres of land at Alberton, Lot 4, Prince County, Province of Prince Edward Island, being acquired from the Town of Alberton of Alberton, Prince Edward Island.

EC2021-117

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
J & J 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 J & J Farms Ltd. of Knutsford, Prince Edward Island to acquire a land holding of approximately ninety-one decimal three one (91.31) acres of land at Milburn, Lot 8 and Forestview Lot 7, both in Prince County, Province of Prince Edward Island, being acquired from Jeffrey Smallman and Jason Smallman of Knutsford, 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.

EC2021-118

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JOHN EDWARD PROPERTIES 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 John Edward Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal zero six (2.06) acres of land at Riverdale, Lot 65, Queens County, Province of Prince Edward Island, being acquired from Bernice Symonds of Bobcaygeon, Ontario; Richard McQuaid of Whitby, Ontario; James McQuaid of Scarborough, Ontario; Genevieve Pszczolowski of Newcastle, Ontario; and Margaret Ann Thompson of Whitby, Ontario.

EC2021-119

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Brudenell, Prince Edward Island to acquire a land holding of approximately thirty-three (33) acres of land at Mount Vernon, Lot 60, Queens County, Province of Prince Edward Island, being acquired from Dr. David Hambly of Montague, 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.

EC2021-120

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAN AMERICAN PROPERTIES 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 Pan American Properties Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal seven eight (2.78) acres of land at Stratford, Lot 48, Queens County, Province of Prince Edward Island, being acquired from 100947 P.E.I. Inc. of Stratford, Prince Edward Island.

EC2021-121

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
POLSTRA HOLDINGS 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 Polstra Holdings Ltd. of Morell, Prince Edward Island to acquire a land holding of approximately one hundred twenty (120) acres of land at Cherry Hill, Lot 38, Kings County, Province of Prince Edward Island, being acquired from Oomendale Farms Inc. of Mount Stewart, 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.

EC2021-122

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
VY BUILD 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 VY Build Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately seventeen decimal seven zero (17.70) acres of land at Stratford, Lots 48 and 49, Queens County, Province of Prince Edward Island, being acquired from William Sterns of Charlottetown, Prince Edward Island.

EC2021-123

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RODNEY DRAKE AND KAREN DRAKE
(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 Rodney Drake and Karen Drake of Widewater, Alberta to acquire a land holding of approximately thirty (30) acres of land at DeGros Marsh, Lot 54, Kings County, Province of Prince Edward Island, being acquired from John Campbell and Betty Campbell both of Charlottetown, 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.

EC2021-124

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 878355, LOT 51, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy-eight decimal four (78.4) acres of land, being Provincial Property No. 878355 located at Baldwin Road, Lot 51, Kings County, Prince Edward Island and currently owned by Curran Farms Inc. of Mount Stewart, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately three (3) acres for residential use (single unit dwelling), and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on February 23, 2021.

EC2021-125

OCCUPATIONAL HEALTH AND SAFETY ACT
FALL PROTECTION REGULATIONS
AMENDMENT

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

1. The *Occupational Health and Safety Act* Fall Protection Regulations (EC633/04) are amended by the addition of the following heading immediately before section 1:

PART 1 - DEFINITIONS AND APPLICATION

2. (1) Subsection 1(1) of the regulations is amended

(a) by the addition of the following after clause (d):

(d.1) "ASSP" means the American Society of Safety Professionals; ASSP

(d.2) "body belt" means a body support device that encircles the body at or about the waist; body belt

(b) by the revocation of clause (e);

(c) in clause (f), by the addition of the words "(CSA Group)" after the words "Canadian Standards Association";

(d) in clause (i), by the deletion of the words "a system of physical components attached to a worker that stops a worker during a fall" and the substitution of the words "a collection of equipment components configured to arrest a fall";

(e) by the revocation of clause (j) and the substitution of the following:

(j) "full-body harness" means a body-holding device that includes shoulder, chest, sub-pelvic, and thigh straps; full-body harness

(f) in clause (l), by the deletion of the words "line used to secure a worker to a lifeline, a static line or a fixed anchor point" and the

substitution of the words “tether used to secure a worker to a lifeline, anchorage, or anchorage connector”;

(g) by the addition of the following after clause (l):

- (l.1) “lifejacket” means a device that lifejacket
 (i) provides a specified buoyancy that will turn the wearer face-up on entry to water and keep the wearer in that position, and
 (ii) is approved by Transport Canada, or an agency permitted by Transport Canada to approve lifejackets, and bears a mark or label indicating that approval;

(h) in clause (n), by the deletion of the words “safety belt,”;

(i) by the addition of the following after clause (n):

- (n.1) “personal flotation device” means a device that personal flotation device
 (i) provides a specified buoyancy that will support a conscious person in an upright or backward-leaning position in water, and
 (ii) is approved by Transport Canada, or an agency permitted by Transport Canada to approve personal flotation devices, and bears a mark or label indicating that approval;

(j) in clause (r), by the deletion of the words “fall-arrest” **and the substitution of the words** “fall arrest”;

(k) by the revocation of clause (u); and

(l) in clause (y), by the deletion of the words “an worker” **and the substitution of the words** “a worker”.

(2) Section 1 of the regulations is amended by the addition of the following after subsection (3):

(3.1) The Director may waive the application of these regulations to a particular workplace or work area if the Director is satisfied that acceptable safety standards will be observed at that workplace or work area. Waiver

3. The regulations are amended

(a) by the deletion of the heading immediately before section 2 and the substitution of the following:

PART 2 - GENERAL REQUIREMENTS

(b) by the deletion of the heading immediately before section 3 and the substitution of the following:

PART 3 - FALL ARREST SYSTEMS

(c) by the deletion of the heading immediately before section 4 and the substitution of the following:

PART 4 - GUARDRAILS

(d) by the deletion of the heading immediately before section 6 and the substitution of the following:

PART 5 - SAFETY NETS

(e) by the deletion of the heading immediately before section 8 and the substitution of the following:

PART 6 - BODY BELTS

(f) by the deletion of the heading immediately before section 9 and the substitution of the following:

PART 7 - TEMPORARY FLOORING

(g) by the deletion of the heading immediately before section 10 and the substitution of the following:

**PART 8 - MEASURES REQUIRED WHERE RISK OF
DROWNING**

4. Subsection 2(2) of the regulations is amended by the deletion of the words “, safety belt”.

5. (1) Subsection 3(1) of the regulations is amended

(a) in clause (b), by the deletion of the words “CSA Standard Z259.1-95 Safety Belts and Lanyards” and the substitution of the words “CSA Standard Z259.11-17 Personal Energy Absorbers and Lanyards”;

(b) in clause (c), by the deletion of the words “CSA Standard Z259.11-M92 Shock Absorbers for Personal Fall-Arrest Systems” and the substitution of the words “CSA Standard Z259.11-17 Personal Energy Absorbers and Lanyards”; and

(c) in clause (d), by the deletion of the words “CSA Standard Z259.10-M90 Full Body Harnesses” and the substitution of the words “CSA Standard Z259.10-18, Full Body Harness”.

(2) Clause 3(2)(a) of the regulations is amended by the deletion of the words “CSA Standard Z259.2.1-98 Fall Arresters, Vertical Lifelines and Rails” and the substitution of the words “CSA Standard Z259.2.4-15, Fall Arresters and Vertical Rigid Rails or CSA Standard Z259.2.5-17, Fall Arresters and Vertical Lifelines, as applicable”.

(3) Subsection 3(4) of the regulations is amended by the deletion of the words “CSA Standard Z259.2.1- 98 Fall Arresters, Vertical Lifelines and Rails” and the substitution of the words “CSA Standard Z259.2.5-17, Fall Arresters and Vertical Lifelines”.

(4) Section 3 of the regulations is amended by the addition of the following after subsection (4):

(4.1) Where a self-retracting device is used as a component of a fall arrest system, the device shall comply with CSA Standard Z259.2.2-17, Self-Retracting Devices. Self-retracting device

(4.2) The employer shall ensure the components of a fall arrest system provided to a worker comply with CSA Standard Z259.12-16, Connecting Components for Personal Fall-Arrest Systems (PFAS). Connecting components

(5) Clause 3(9)(h) of the regulations is amended by the deletion of the words “CSA Standard Z259.13-04 Flexible Horizontal Lifeline Systems and CSA Standard Z259.16-04 Design of Active Fall Protection Systems” and the substitution of the words “CSA Standard Z259.13-16, Manufactured Horizontal Lifeline Systems and CSA Standard Z259.16-15, Design of Active Fall Protection Systems”.

6. (1) Clause 6(1)(e) of the regulations is revoked and the following substituted:

(e) where two or more personnel safety nets are connected to form a larger unit, they shall be laced with a lacing material equal in strength to the mesh rope or webbing.

(2) Subsection 6(2) of the regulations is amended

(a) by the deletion of the words “shall insure” and the substitution of the words “shall ensure”; and

(b) by the deletion of the words “ANSI Standard A10.11-1989 Safety Nets Used During Construction, Repair and Demolition Operations” and the substitution of the words “ANSI/ASSP Standard A10.11-2010 Safety Requirements for Personnel Nets”.

7. Clause 7(2)(a) of the regulations is amended by the deletion of the words “ANSI Standard A10.11-1989 Safety Nets Used During Construction, Repair and Demolition Operations” and the substitution of the words “ANSI/ASSP Standard A10.37-2016 Debris Nets Systems Used During Construction and Demolition Operations”.

8. Section 8 of the regulations is revoked and the following substituted:

8. Where an employer provides a body belt to a worker, the employer shall ensure that the body belt complies with CSA Standard Z259.1-05, Body Belts and Saddles for Work Positioning and Travel Restraint. Body belt standards

9. (1) Section 10 of the regulations is amended in the following provisions by the deletion of the words “personal flotation device” wherever they occur and the substitution of the words “lifejacket or personal flotation device”:

(a) clause (1)(a);

(b) subsection (2);

(c) subsection (5).

(2) Subsection 10(3) of the regulations is revoked and the following substituted:

(3) Where inflatable lifejackets or personal flotation devices are used, the employer shall ensure that Maintenance

(a) the lifejackets and devices are inspected and maintained in accordance with the manufacturer’s instructions and recommendations; and

(b) records of all inspections and maintenance are maintained for the life of the lifejacket or device.

(3) Subsection 10(4) of the regulations is amended by the deletion of the word “floatation” and the substitution of the word “flotation”.

10. These regulations come into force on March 6, 2021.

EXPLANATORY NOTES

SECTION 1 adds a heading immediately before section 1 of the regulations, PART 1 - DEFINITIONS AND APPLICATION.

SECTION 2 amends the definition section, subsection 1(1), of the regulations. The section revokes a definition that is no longer required; adds three new definitions for “fall body harness”, “lifejacket” and “personal flotation device” and corrects a grammatical error. A new subsection 1(3.1) is added to the provision to authorize the Director to waive the application of the regulations to a particular workplace or work area if the Director is satisfied that acceptable safety standards will be observed at that workplace or work area.

SECTION 3 adds new headings to the regulations that are divided into Parts, for ease of reference.

SECTION 4 amends subsection 2(2) of the regulations to remove a term that is no longer a part of a fall arrest system.

SECTION 5 amends section 3 of the regulations to update the references to the relevant CSA Standards. The section adds two new provisions in respect of self-retracting devices and connecting components.

SECTION 6 corrects a grammatical error and updates the reference to the relevant CSA Standard.

SECTIONS 7 and 8 update the references to the relevant CSA Standards.

SECTION 9 amends section 10 of the regulations which specifies the measures to be taken where there is a risk of drowning. The term “lifejacket” is added wherever the term “personal flotation device” is used, either of which is to be provided to a worker working in a hazardous work area.

Subsection 10(3) of the regulations is revoked and a new subsection 10(3) is substituted to require an employer to ensure that

- (1) lifejackets and personal flotation devices are inspected and adequately maintained; and
- (2) records of inspections and maintenance are kept by the employer for the life of the lifejacket or device.

The section also corrects a grammatical error.

SECTION 10 provides for the commencement of the regulations.

EC2021-126

OCCUPATIONAL HEALTH AND SAFETY ACT

**GENERAL REGULATIONS
AMENDMENT**

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

1. Section 1.4 of the *Occupational Health and Safety Act* General Regulations (EC180/87) is amended

- (a) in clause (e), by the addition of the words “(CSA Group)” after the words “Canadian Standards Association”;
- (b) in clause (f), by the deletion of the period and the substitution of a semicolon; and
- (c) by the addition of the following after clause (f):
 - (g) “ISEA” means the International Safety Equipment Association. ISEA

2. Section 1.5 of the regulations is amended by the deletion of the words “Employer Services Division” and the substitution of the words “Occupational Health and Safety Division”.

3. (1) The regulations are amended in the following provisions by the deletion of the word “employees” and the substitution of the word “workers”:

- (a) section 2.1 and subsection 2.6(2);
- (b) sections 3.1 and 3.3;
- (c) subclause 4.1(d)(iii);
- (d) clause 5.1(c) and section 5.2;
- (e) section 6.1;
- (f) clause 7.2(e) and section 7.5;
- (g) sections 11.1 and 11.3;
- (h) subsection 12.1(3), clause 12.2(1)(d), subsection 12.2(2), section 12.8 and subsection 12.11(1);
- (i) clause 13.3(l) and section 13.6;
- (j) section 14.3;
- (k) subsections 23.1(1) and 23.7(2) and (4);
- (l) sections 26.58 and 26.61;
- (m) section 27.5 and subsection 27.18(3);
- (n) subsections 30.3(4), 30.5(1), 30.8(1) and 30.9(5) and section 30.14;
- (o) clauses 32.1(a), (c) and (f);

(p) subsections 34.6(2) and 34.8(3);

(q) sections 35.1 and 35.2;

(r) subsections 36.5(1) and 36.6(1), (2), (3), (4) and (7), clause 36.9(a) and sections 36.12, 36.13, 36.15, 36.19, 36.34, 36.37, 36.38, 36.39 and 36.43 and subsections 36.33(1) and (2);

(s) clause 37.15(b);

(t) section 40.1 and clauses 40.4(b) and 40.11(c);

(u) sections 41.3, 41.24, 41.28, 41.29, 41.56, 41.65 and 41.67;

(v) sections 43.7, 43.32 and 43.33;

(w) sections 45.6, 45.14 and 45.19 and subsections 45.17(1) and 45.20(1);

(x) clause 50.2(a).

(2) The regulations are amended in the following provisions by the deletion of the word “employees” wherever it occurs and the substitution of the word “workers”:

(a) subsection 2.6(3);

(b) subsection 10.2(2) and section 10.3;

(c) section 12.3;

(d) section 13.2;

(e) section 29.3;

(f) section 30.1 and subsection 30.4(4);

(g) subsection 34.6(3);

(h) sections 36.3, 36.10 and 36.17;

(i) section 37.9;

(j) section 40.10;

(k) sections 41.4 and 41.57;

(l) section 43.8;

(m) subsection 45.20(2).

(3) The regulations are amended in the following provisions by the deletion of the words “an employee” and the substitution of the words “a worker”:

(a) clause 5.1(h) and section 5.3;

(b) clause 11.11(d);

(c) subsection 12.4(1) and section 12.8;

(d) sections 13.2 and 13.5;

(e) section 15.3;

(f) section 27.2 and subsection 27.18(4);

(g) subsections 30.4(5) and (6), 30.6(3), 30.8(2), 30.9(1) and (3), 30.16(2), 30.17(2), 30.18(1) and (2) and 30.19(1);

(h) sections 36.2, 36.7, 36.8, 36.11 and 36.20;

(i) clauses 41.2(b) and 41.4(e);

(j) sections 41.7, 41.10, 41.11, 41.13, 41.17, 41.23, 41.36, 41.40, 41.42, 41.44, 41.56, 41.61, 41.63;

(k) sections 45.1, 45.5, 45.7, 45.8, 45.9, 45.15 and subsection 45.20(3);

(l) section 50.5.

(4) Subsection 30.9(2) of the regulations is amended by the deletion of the words “an employee” wherever they occur and the substitution of the words “a worker”.

(5) The regulations are amended in the following provisions by the deletion of the words “An employee” and the substitution of the words “A worker”:

(a) subsection 12.4(2);

(b) section 13.7;

(c) sections 26.52, 26.53, 26.57 and 26.58;

(d) subsections 30.11(3) and 30.19(2);

(e) section 36.21;

(f) sections 41.6, 41.15, 41.16, 41.21, 41.25, 41.26, 41.41, 41.46, 41.47, 41.48 and 41.59;

(g) sections 45.4 and 45.11.

(6) The regulations are amended in the following provisions by the deletion of the word “employee” and the substitution of the word “worker”:

(a) section 4.3;

(b) section 5.3;

(c) section 11.6;

(d) subsection 12.12(3);

(e) clause 13.2(f)

(f) sections 26.51, 26.53 and 26.54;

(g) sections 27.10 and 27.13 and subsection 27.18(4);

(h) clauses 29.1(a) and 29.3(j) and sections 29.7 and 29.8;

(i) subsections 30.4(5) and (6), 30.6(4), 30.7(2) and (4), 30.8(2), 30.9(4), 30.11(2) and (7) and 30.17(1) and section 30.12;

(j) subsections 36.5(2) and (3), 36.6(1) and (5) and sections 36.7, 36.8, 36.9, 36.11, 36.37 and 36.39;

(k) subsections 37.11(1) and (3), 37.12(1) and (2) and 37.16(1) and (2);

(l) section 40.3 and clause 40.4(a);

(m) sections 41.5, 41.7, 41.12, 41.18, 41.20, 41.23, 41.24, 41.30, 41.31, 41.32, 41.33, 41.35, 41.37, 41.38, 41.48, 41.52, 41.58 and subsections 41.9(1) and (2);

(n) clause 43.8(b);

(o) sections 44.2, 44.3 and 44.4;

(p) section 45.1 and subsection 45.17(2);

(q) clause 50.3(a) and section 50.5.

(7) The regulations are amended in the following provisions by the deletion of the word “employee” wherever it occurs and the substitution of the word “worker”:

- (a) sections 13.3 and 13.5;
- (b) clause 29.5(k);
- (c) subsections 30.7(1) and (3) and 30.10(3);
- (d) section 36.38;
- (e) sections 41.2, 41.4, 41.8, 41.22 and 41.56;
- (f) section 43.33;
- (g) sections 45.3 and 45.10 and subsection 45.20(3).

(8) The regulations are amended in the following provisions by the deletion of the word “Employees” and the substitution of the word “Workers”:

- (a) section 12.9;
- (b) section 14.2;
- (c) subsection 23.7(3);
- (d) sections 26.8, 26.34 and 26.48;
- (e) subsection 34.8(4);
- (f) section 43.34.

(9) The regulations are amended in the following provisions by the deletion of the word “employee’s” and the substitution of the word “worker’s”:

- (a) subclause 30.7(1)(c)(ii) and subsection 30.8(2);
- (b) subsection 36.5(6);
- (c) section 41.46.

(10) Section 30.12 of the regulations is amended by the deletion of the words “an employee’s” and the substitution of the words “a worker’s”.

4. Sections 2.4 and 2.5 of the regulations are amended by the deletion of the word “ten” and the substitution of the word “10”.

5. Subsection 2.6(3) of the regulations is revoked and the following substituted:

(3) Where there is a high risk of contamination of workers by the presence of hazardous substances, infectious or offensive materials that are part of the regular work processes at a workplace, an employer shall, where reasonably practicable, supply and maintain adequate changing and showering facilities. Shower facilities

(4) Where changing and shower facilities referred to in subsection (3) are provided, an employer shall Requirements

- (a) provide separate shower rooms for male and female employees except where there are fewer than six persons employed at a workplace;
- (b) ensure that where there are fewer than six persons employed at a workplace a shower room with a door that has a locking device on the inside is provided;
- (c) ensure that the floors of shower rooms have a non-slip surface; and
- (d) ensure that at every workplace the water supply, used for washing and showering,
 - (i) can be manually adjusted to within a range of 35°C and 45°C, and
 - (ii) is not heated by the injection of steam.

6. The regulations are amended by the addition of the following after section 2.8:

2.9 An employer shall ensure that

- (a) appropriate emergency washing facilities are provided in a work area where a worker's eyes or skin may be exposed to harmful or corrosive materials or other materials which may burn or irritate the worker's eyes or skin;
- (b) only a potable water supply is used in a plumbed emergency eyewash facility and that only potable water or an isotonic saline flushing solution is used in a potable (non-plumbed) eyewash unit;
- (c) access to emergency eyewash and shower facilities is not blocked by material or equipment;
- (d) the selection of emergency washing facilities is based upon an assessment of risks present in the workplace; and
- (e) where the assessment of risks referred to in clause (d) determines that an emergency shower or eyewash fountain is required, the shower or fountain, as the case may be, is installed, tested, and maintained in accordance with the ANSI Standard Z358.1-14, American National Standard for Emergency Eyewash and Shower Equipment.

Emergency
eyewash and
shower equipment

7. (1) Clause 8.1(2)(a) of the regulations is amended by the deletion of the words "CSA Standard Z107.56-06, Procedures for the Measurement of Occupational Noise Exposure," and the substitution of the words "CSA Standard Z107.56-18, Measurement of Noise Exposure,".

(2) Clauses 8.1(2)(a) and (b) of the regulations are amended by the deletion of the words ", as amended from time to time".

8. Subsection 8.4(3) of the regulations is amended

(a) in clause (a), by the deletion of the words "CSA Standard Z107.56-06, Procedures for the Measurement of Occupational Noise Exposure, as amended from time to time" and the substitution of the words "CSA Standard Z107.56-18, Measurement of Noise Exposure"; and

(b) in clause (b), by the deletion of the words "ANSI Standard S1.25-1991, Specification for Personal Noise Dosimeters, as amended from time to time" and the substitution of the words "ANSI Standard S1.25-1991, Specification for Personal Noise Dosimeters".

9. Clause 8.7(1)(d) of the regulations is amended by the deletion of the words "CSA Standard Z94.2-02, Hearing Protection Devices – Performance, Selection, Care, and Use, as amended from time to time" and the substitution of the words "CSA Standard Z94.2-14, Hearing Protection Devices – Performance, Selection, Care, and Use".

10. (1) Subsection 9.1(1) of the regulations is amended

(a) by the addition of the following after clause (c):

(c.1) "Emergency Medical Services" means a network of services coordinated to provide aid and medical assistance, from primary response to definitive care, involving personnel trained in the rescue, stabilization, transportation, and treatment of persons experiencing traumatic or medical emergencies;

Emergency medical
Services

(b) by the revocation of clause (f);

(c) by the revocation of clause (i) and the substitution of the following:

(i) "low risk work" means work of an administrative, professional or clerical nature that does not require substantial physical exertion or exposure to work processes, substances or other conditions that are potentially hazardous;

low risk work

(d) by the addition of the following after clause (j):

(j.1) “risk” means a combination of the likelihood of the occurrence of harm and the severity of that harm; risk

(e) in clause (k) by the deletion of the period and the substitution of a semicolon; and

(f) by the addition of the following after clause (k):

(l) “working alone” means the worker is the only worker of the employer at that workplace and the worker is working in circumstances where assistance is not readily available to the worker in the event of injury, illness or an emergency; working alone

(m) “workplace first aider” means a worker with a first aid certificate that is current and recognized as defined by the legal requirements; workplace first aider

(n) “workplace first aid risk assessment” means a process used to determine the risk level in a workplace as it relates to the provision of workplace first aid services, first aid kits and supplies. workplace first aid risk assessment

(2) Clause 9.1(2)(c) of the regulations is revoked and the following substituted:

(c) an organization or person approved to provide first aid courses by another jurisdiction in Canada; or

(d) any other organization or person that provides first aid courses that are approved by the Director.

11. (1) Subsection 9.3(1) of the regulations is amended by the deletion of the words “Subject to subsection (2), every” and the substitution of the word “An”.

(2) Section 9.3 of the regulations is amended by the addition of the following after subsection (1):

(1.1) Workplace first aid supplies and services shall be readily available and accessible during working hours. Accessibility of workplace first aid supplies and services

(3) Subsection 9.3(2) of the regulations is revoked and the following substituted:

(2) An employer shall assess the risks that workers are likely to encounter at the workplace and ensure that there are adequate first aid supplies and services at the workplace. Employer to assess risks

(3) The workplace first aid risk assessment shall be conducted by a competent person at the workplace in consultation with the occupational health and safety committee, safety representative, or workers, as applicable. Workplace first aid risk assessment

(4) The workplace first aid risk assessment shall include Components of workplace first aid risk assessment

(a) the identification of hazards that could result in work-related injury or illness;

(b) an assessment of the type, potential severity, likelihood, and resulting risk of injuries and illnesses which could occur in the workplace taking into consideration

(i) the characteristics of the workplace,

(ii) the number of workers at the workplace per shift,

(iii) industry sector trends,

(iv) the organization’s history of workplace first aid incidents,

(v) the proximity of trained workplace first aiders to provide first aid,

(vi) accessibility to emergency medical services,

(vii) work patterns, such as shift work, workers on shared sites, multi-occupied sites, and planned and unplanned leave of workplace first aiders,

(viii) modes of transportation for transporting injured or ill persons to a medical facility, and

(ix) any special needs including, but not limited to, workers with disabilities or known medical conditions; and

(c) the identification of the appropriate first aid supplies and services to respond to the types of injury or illness that could occur in the workplace.

(5) An employer shall, at least annually and more frequently if required by a change in work conditions, review the workplace first aid risk assessment in consultation with the occupational health and safety committee, safety representative or workers, as applicable.

Review of workplace first aid risk assessment

(6) Where an officer determines that the workplace first aid risk assessment conducted under this Part is not adequate given the particular risks associated within a workplace, the officer may specify additional first aid supplies or services to be provided by the employer.

Additional first aid supplies or services

12. (1) Subsection 9.5(1) of the regulations is amended

(a) in clause (a), by the deletion of the words “first aid providers” and the substitution of the words “first aiders”; and

(b) in clause (b), by the deletion of the words “first aid provider” and the substitution of the words “first aider”.

(2) Subsection 9.5(2) of the regulations is amended by the deletion of the words “first aid providers” and the substitution of the words “first aiders”.

(3) Subsection 9.5(3) of the regulations is amended by the deletion of the words “identity and phone number of the first aid providers” and the substitution of the words “name and phone number of the first aiders”.

13. Section 9.6 of the regulations is amended by the deletion of the words “first aid provider” and the substitution of the words “first aider”.

14. Section 9.7 of the regulations is revoked and the following substituted:

9.7 (1) Where the only work conducted at a workplace is low-risk work, the employer shall ensure that at least one workplace first aider who holds a valid Emergency First Aid Certificate is available at the workplace while the work is conducted.

Low-risk work

(2) Where

(a) the only work conducted at a workplace of an employer is work other than low-risk work; or

(b) both low-risk work and work other than low-risk work are conducted at a workplace of an employer,

the employer shall ensure,

(c) if there are more than one and less than 20 workers regularly employed on any one shift at the workplace, that at least one workplace first aider is available on that shift who holds a valid Emergency First Aid Certificate;

(d) if there are 20 or more and less than 100 workers regularly employed on any one shift at the workplace, that at least one workplace first aider is available on that shift who holds a valid Standard First Aid Certificate; and

(e) if there are 100 or more workers regularly employed on any one shift at the workplace, that at least one workplace first aider is available on that shift who holds a valid Advanced First Aid Certificate.

Work other than low-risk work

(3) Where a worker is working alone at a workplace as required by the employer, the employer shall, if it is reasonable to do so or if required to do so by an officer, ensure that the worker holds a valid Emergency First Aid Certificate.

Working alone

15. Section 9.8 of the regulations is revoked and the following substituted:

9.8 A vehicle or boat used by or under the control of the employer for transporting workers to and from a workplace shall be equipped with an

Vehicles and boats

Intermediate First Aid Kit, the size of which shall be determined based on the legal seating capacity of the vehicle or vessel in question, pursuant to the requirements set out in CSA Standard Z1220-17, First Aid Kits for the Workplace.

16. Subsection 9.10(1) of the regulations is amended

(a) in the words immediately preceding clause (a), by the deletion of the words “first aid provider” wherever they occur and the substitution of the words “first aider”; and

(b) in subclause (a)(vii), by the deletion of the words “first aid provider” and the substitution of the words “workplace first aider”.

17. Section 9.11 of the regulations is revoked and the following substituted:

9.11 (1) The employer shall determine the classification of the first aid kit and any additional supplies required, pursuant to the findings of the first aid risk assessment conducted under this Part. Employer shall determine classification of first aid kits

(2) Where low risk work and work other than low risk work exist simultaneously in a single workplace, the employer shall use the higher risk level when determining the appropriate workplace first aid kit. Higher risk level

(3) The minimum requirements for the contents of workplace first aid kits and the type, number and size of workplace first aid kits shall meet the requirements set out in CSA Standard Z1220-17, First Aid Kits for the Workplace. Minimum requirements

(4) Workplace first aid kits shall be classified as follows: Classification of workplace first aid kits

- (a) Type 1: Personal First Aid Kit;
- (b) Type 2: Basic First Aid Kit, further classified as
 - (i) small,
 - (ii) medium, and
 - (iii) large;
- (c) Type 3: Intermediate First Aid Kit, further classified as
 - (i) small,
 - (ii) medium, and
 - (iii) large.

(5) To ensure first aid kits are readily accessible to all workers and that the particular configurations of workplaces can be accommodated, first aid kits of different sizes (small, medium and large) may be used in various combinations in accordance with workplace requirements, pursuant to subsection (4). First aid kits combinations

(6) For workplaces with more than 100 workers, first aid kits shall be proportionately distributed in the workplace. Proportionate distribution

(7) An employer may increase the minimum requirements in respect of the contents of workplace first aid kits in the workplace to account for any specific workplace hazards or risks or to address other site-specific conditions. Increase in maximum requirements

18. Section 9.14 of the regulations is revoked and the following substituted:

9.14 (1) Where First aid room

- (a) either
 - (i) the only work conducted at a workplace is work other than low risk work, or
 - (ii) both low risk work and work other than low risk work are conducted at a workplace; and
- (b) there are more than 100 workers regularly employed on any one shift at the workplace,

the employer shall provide a first aid room at the workplace.

(2) An employer who is required under subsection (1) to provide a first aid room at a workplace shall ensure that the first aid room Idem

- (a) has adequate lighting, ventilation and heating;
- (b) is kept clean and in a sanitary condition;

- (c) is of adequate size to accommodate a stretcher;
- (d) has posted emergency telephone numbers;
- (e) is used only for the purpose of administering first aid;
- (f) is accessible by the workers at all times during their shift; and
- (g) is equipped with
 - (i) a telephone or other means of communication between the first aid room and the emergency medical services that will be transporting the worker, if applicable,
 - (ii) instructions on how and where to access a workplace first aider,
 - (iii) a permanently installed sink with hot and cold running water,
 - (iv) a bed or cot with a moisture-protected mattress and two pillows,
 - (v) a treatment chair with arm rests,
 - (vi) a flashlight,
 - (vii) a wash basin made from stainless steel or polypropylene,
 - (viii) a nail brush,
 - (ix) a package of paper towels,
 - (x) hand soap,
 - (xi) a package of disposable paper cups,
 - (xii) a kidney basin made of stainless steel or polypropylene, and
 - (xiii) a large Type 3 Intermediate First Aid Kit, that meets the requirements specified in subsection 9.11(4).

9.15 During the 12 months immediately following the coming into force of this Part, an employer who is in compliance with Part 9, as those provisions read immediately before the coming into force of this Part, is deemed to be in compliance with the requirements of this Part. Transition period

19. Section 10.1 of the regulations is amended by the deletion of the words “when laser beams are used the operation that use is in accordance with the American National Standard for the Safe Use of Lasers endorsed standard number 21361, 19/9 ANSI (R1), and amendments thereto” and the substitution of the words “a laser or laser device is installed, operated, labelled and maintained in accordance with ANSI Standard Z136.1-2014, American National Standard For Safe Use of Lasers”.

20 Clause 12.3(b) of the regulations is revoked and the following substituted:

- (b) CSA approved safety headwear and footwear are provided and worn by the workers, as specified in sections 45.5 or 45.15, as the case may be;

21. Section 13.3 of the regulations is amended

- (a) in clause (c), by the deletion of the words “sections 13.2 and 13.5(a)” and the substitution of the words “section 13.2 and clause 13.5(a)”; and

- (b) in clause (j), by the addition of the words “, as specified in section 45.18” after the words “approved breathing apparatus”.

22. Section 14.1 of the regulations is revoked.

23. Section 14.2 of the regulations is amended by the deletion of the words “life line” and the substitution of the words “a lifeline”.

24. Section 14.3 of the regulations is amended by the deletion of the semicolon.

25. Section 14.4 of the regulations is revoked and the following substituted:

14.4 (1) Where a worker is required to work in a bin, hopper, chamber or vessel where there is a danger of being overcome by contaminated air or lack of oxygen or where there is a danger of being buried by movement of material, another worker shall be stationed in a position where he or she can readily effect the rescue of the worker exposed to the hazardous condition. Sentinel

(2) The employer shall ensure that ropes for lifelines meet the requirements specified in subsection 3(2) of the Fall Protection Regulations (EC633/04) made under the Act. Standard

(3) Lifelines shall be connected for use by a worker to ensure there will be the least practicable amount of slack line in order to limit the free fall of the worker. Lifelines

(4) No more than one worker shall be attached to one lifeline. Prohibition

26. Section 14.5 of the regulations is revoked.

27. Section 25.7 of the regulations is amended by the deletion of the words “Fire Prevention Act R.S.P.E.I. 1974, Cap. F-7.1” and the substitution of the words “Fire Prevention Act R.S.P.E.I. 1988, Cap. F-11”.

28. Section 28.1 of the regulations is revoked and the following substituted:

28.1 The employer shall ensure that a powder-actuated fastening system, consisting of the tool, power loads and fasteners, meets the minimum safety requirements of ANSI Standard A10.3-2020, Safety Requirements for Powder-Actuated Fastening Systems. Minimum safety requirements

29. Part 33 of the regulations is revoked and the following substituted:

PART 33 - POWERED MOBILE EQUIPMENT

33.1 In this Part, “powered mobile equipment” means self-propelled machinery designed to carry, push, pull, dig, compact, lift, stack, tier or move materials or to provide a working platform for workers and includes trucks. powered mobile equipment, defined

33.2 The employer shall ensure that powered mobile equipment: Responsibilities of employer

- (a) is maintained in a safe operating condition and that the operation, inspection, repair and maintenance of the equipment, and any necessary modifications to the equipment, are carried out in accordance with the manufacturer’s instructions or, in the absence of those instructions, as approved by a professional engineer;
- (b) is used exclusively for the purposes for which the equipment is designed and equipped;
- (c) is operated only by competent persons.

33.3 Every operator of powered mobile equipment shall: Responsibilities of operators

- (a) inspect the powered mobile equipment before the start of operation of each shift to ensure the equipment is in safe operating condition;
- (b) ensure that passengers do not ride on any part of the equipment not designed to carry passengers;
- (c) not set equipment in motion until all air and hydraulic pressures are fully built up to the specified operating pressures;
- (d) when leaving equipment unattended,
 - (i) park it on level ground,
 - (ii) set the brake,
 - (iii) lower the blades and bucket or safely block them,
 - (iv) disengage the master clutch,
 - (v) stop the engine,
 - (vi) remove the key; and
 - (vii) where necessary, adequately chock the wheels to prevent inadvertent movement;
- (e) follow a safe refuelling procedure;
- (f) not store containers of gasoline, diesel oil or other substances that may constitute a hazard in the cab;
- (g) not carry on or in the equipment, loose articles or equipment that might create a hazard;
- (h) ensure the load is adequately secured.

33.4 The employer shall ensure that agricultural, construction, earthmoving, forestry, and industrial machines are equipped with protective structures that meet the CSA Standard B352.0-16 Rollover Protective structures

Protective Structures (ROPS), Falling Object Protective Structures (FOPS), Operator Protective Structures (OPS), and Tip-Over Protective Structures (TOPS) for Mobile Machinery - General Canadian requirements.

33.5 (1) The employer shall ensure that all modifications or repairs to existing Rollover Protective Structures (ROPS) Modifications or repairs

- (a) meet the requirements of this Part; and
- (b) are certified by the modification design agency, the installing agency or a professional engineer, as the case may be.

(2) The employer shall ensure that certification information is made available to an officer, on request. Certification information

33.6 (1) The employer shall ensure that powered mobile equipment which has been fitted with Rollover Protective Structures (ROPS) is equipped with seat belts for the operator and passengers which comply with or exceed the recommended practices of the Society of Automotive Engineers. Restraint equipment

(2) Where the nature or type of work renders the wearing of seat belts impracticable, the employer shall ensure that powered mobile equipment is equipped with shoulder belts, bars, gates, screens or other restraining devices designed to prevent the operator and passengers from being thrown outside the rollover protective structures. Restraining devices

(3) Every operator of and passenger on powered mobile equipment shall use the seat belts and restraining devices provided while the equipment is in motion. Use of restraint equipment

33.7 The employer shall ensure that powered mobile equipment: Equipment requirements

- (a) has an adequate and fully operative braking system;
- (b) has a manually operated audible warning device;
- (c) has an adequate rear view mirror or other means of ensuring that the equipment can be safely backed up;
- (d) has an audible automatic back-up alarm;
- (e) has adequate headlights and backing lights when used after dark or in dimly lit areas;
- (f) has gears and moving parts that are adequately guarded;
- (g) has controls which cannot be operated from outside the cab unless the controls are designed to be operated from outside the cab;
- (h) has air and hydraulic lines, hoses and components maintained in safe operating condition;
- (i) has wire ropes, drums and sheaves that are inspected daily;
- (j) is lubricated only when the machine is at rest or as the manufacturer has expressly directed;
- (k) has safe and easy access to the operator's station by means of a ladder or steps and a handrail.

33.8 (1) The employer shall designate a worker to give signals to an operator who is operating powered mobile equipment when the operator's vision is obstructed and the operator shall use the equipment only on mutually agreed signals between the operator and the designated worker. Signals

(2) The designated worker referred to in subsection (1) shall ensure that it is safe to proceed with a movement before the worker signals the operator for the movement to proceed. Safe to proceed on signal

33.9 (1) Where practicable, designated walkways shall be used to separate pedestrian traffic from areas of operation of powered mobile equipment. Pedestrian traffic

(2) Where it is impracticable to provide designated walkways for pedestrian traffic, the employer shall ensure that safe work procedures are used to minimize the possibility of a collision in hazardous work areas, including Safe work procedures

- (a) use of a traffic control system;
- (b) enforcement of speed limits for powered mobile equipment;

- (c) a requirement for the pedestrian and the operator of the powered mobile equipment to acknowledge each other's presence before the pedestrian proceeds through a hazardous work area; or
- (d) other effective means.
- 33.10** Where work is carried out in an area where dust may create a hazard to the health of workers, the employer shall take adequate measures to minimize the release of dust to protect workers from the risk of damage to their health. Dust
- 33.11** Buckets, forks, booms, hoists and other load handling attachments shall only be installed on powered mobile equipment as specified by the equipment manufacturer or where certified by a professional engineer for use on the equipment. Load handling attachments
- 33.12** The employer shall ensure that Raised equipment
- (a) powered mobile equipment which is raised from the ground by means of jacks or hoists is adequately blocked; and
- (b) mats or heavy planking are used to distribute the load on soft ground.
- 33.13** The employer shall ensure that any person or worker does not work under or go under the raised parts of any powered mobile equipment unless the raised parts of the equipment are adequately blocked. Idem
- 33.14** Where repair or maintenance work is carried out at the point of articulation on front end loaders or similar powered mobile equipment, the employer shall ensure that lock bars are used to prevent movement of either end of the loader or similar equipment. Repair work
- 33.15** Where powered mobile equipment is used on a slope or bank which may give way, the employer shall ensure that adequate precautions are taken to stabilize the slope or bank, as the case may be, and to distribute the load of the equipment. Precautions on slope, bank
- 33.16** The operator of powered mobile equipment shall keep the equipment in gear when going downhill. Use of gears
- 33.17** (1) When initially inflating a tire, a worker shall ensure that the tire pressure does not exceed the manufacturer's rated capacity. Tire pressure
- (2) A worker shall initially inflate a tire mounted on a split-rim or locking ring wheel only after the wheel assembly has been placed in a tire cage or has been otherwise restrained to contain flying parts in the event of split-rim or locking ring failure or tire rupture. Tire inflation
- (3) The employer shall ensure that a clamp-on type connector is used to inflate split-rim and locking ring wheels. Connector
- (4) Where a clamp-on type connector is used to inflate a tire, Idem
- (a) the employer shall ensure that the worker uses an in-line pressure gauge and positive pressure control and inflates the tire from a safe position out of the immediate danger area; and
- (b) the worker shall inflate the tire from the safe position.
- 33.18** (1) The employer shall ensure that a truck used for the transportation of workers has seats and is enclosed on all sides. Truck seats
- (2) No person shall get on or off trucks, or be permitted to get on or off trucks, which are in motion. Trucks in motion
- 33.19** A worker shall not remain in or on the cab of powered mobile equipment while the equipment is being loaded by a crane or power shovel. Loading
- 30. Subsection 34.2(2) of the regulations is amended**
- (a) by the revocation of clause (a) and the substitution of the following:**
- (a) CSA Standards:
- (i) B167-16, Overhead Cranes, Gentry Cranes, Monorails, Hoists, and Jib Cranes,

- (ii) C22.2 No.33-19, Electrical Safety Requirements for Cranes and Hoists,
- (iii) Z150-20, Safety Code on Mobile Cranes,
- (iv) Z248-17, Code for Tower Cranes,
- (v) Z150.3-17, Safety Code on Articulating Boom Cranes;

(b) in clause (b), by the deletion of the words “ANSI/ALI ALOIM-2000” and the substitution of the words “ANSI/ALI ALOIM”.

31. Section 35.3 of the regulations is amended

(a) by the deletion of the words “The Canadian Standards Association Z-185 Safety Code for Workers’ Hoists, and subsequent amendments” and the substitution of the words “CSA Standard Z185-M87, Safety Code for Personnel Hoists”; and

(b) by the deletion of the words “the officers” and the substitution of the word “officers”.

32. Section 35.5 of the regulations is amended by the deletion of the words “The Canadian Standards Association Z-256” and the substitution of the words “CSA Standard Z256-M87,”.

33. Subsection 36.4(2) of the regulations is amended by the deletion of the words “the CSA Standard CAN3-C22.3 No.1 for “Overhead Systems and Underground Systems” CAN3-C22.3 No.7, as amended” and the substitution of the words “CSA Standard C22.3 No.1-15, Overhead Systems, and CSA Standard C22.3 No.7-20, Underground Systems”.

34. The heading immediately before section 38.1 and section 38.1 of the regulations are revoked.

35. Section 41.1 of the regulations is amended

(a) by the revocation of clause (a);

(b) by the revocation of clause (d);

(c) in clause (h), by the deletion of the word “transporation” and the substitution of the word “transportation”;

(d) by the revocation of clause (i); and

(e) by the revocation of clauses (p), (q) and (r).

36. Section 41.4 of the regulations is amended

(a) in clause (f), by the deletion of the word “used” and the substitution of the words “that is suitable”; and

(b) in clause (h), by the deletion of the words “Material Safety Data Sheets” and the substitution of the words “safety data sheets”.

37. Clause 41.6(a) of the regulations is amended by the deletion of the words “an approved safety hat” and the substitution of the words “approved safety headwear”.

38. Clause 44.1(2)(g) of the regulations is amended by the deletion of the words “the CSA Standard C22.1 Canadian Electrical Code, Part 1,” and the substitution of the words “CSA Standard C22.1-18, Canadian Electrical Code, Part 1 (24th Edition), Safety Standard for Electrical Installation.”

39. The regulations are amended by the addition of the following immediately before section 45.1:

45.01 In this Part,

(a) “lifejacket” means a device that

Definitions

lifejacket

(i) provides a specified buoyancy that will turn the wearer face-up on entry to water and keep the wearer in that position, and
 (ii) is approved by Transport Canada, or an agency permitted by Transport Canada to approve lifejackets, and bears a mark or label indicating that approval;

- (b) “personal flotation device” means a device that personal flotation device
 (i) provides a specified buoyancy that will support a conscious person in an upright or backward-leaning position in water, and
 (ii) is approved by Transport Canada, or an agency permitted by Transport Canada to approve personal flotation devices, and bears a mark or label indicating that approval.

40. The regulations are amended by the addition of the following after section 45.4:

LIFEJACKET - PERSONAL FLOTATION DEVICE

45.4.1 (1) An employer shall ensure that a worker who is employed under conditions that involve a risk of drowning is provided with and wears at all times a lifejacket or personal flotation device that is Flotation device, when required

- (a) suitable to the conditions in the workplace; and
 (b) of the correct size and appropriate for the weight of the worker who will wear it.

- (2) Subsection (1) does not apply if Exception
 (a) other sufficient safety measures are in place to protect a worker from falling into water, including but not limited to a guardrail or safety net installed and used in accordance with the relevant requirements of Part 2 of the Fall Protection Regulations (EC633/04) made under the Act;
 (b) the worker is a lifeguard on duty; or
 (c) the worker is performing occupational diving tasks.

45.4.2 Where inflatable lifejackets or personal flotation devices are used, the employer shall ensure that Maintenance

- (a) the lifejackets and devices are inspected and maintained in accordance with the manufacturer’s instructions and recommendations; and
 (b) records of all inspections and maintenance are maintained for the life of the lifejacket or device.

41. Section 45.5 of the regulations is amended

(a) by the deletion of the words “ protection* appropriate to the hazard and which meets the standards and specifications of CSA Standard Z94.1 “Industrial Protective Headwear” or the equivalent” and the substitution of the words “protection appropriate to the hazard and which meets the requirements of CSA Standard Z94.1-15, Industrial Protective Headwear - Performance, Selection, Care and Use”; and

(b) by the deletion of the words “* The replacement of headgear every five years and headgear suspension annually is a recommended safe practice.”.

42. Section 45.7 of the regulations is amended by the deletion of the words “the CSA Standard Z94.3 “Industrial Eye and Face Protectors”” and the substitution of the words “CSA Standard Z94.3-15, Eye and Face Protectors,”.

43. Section 45.15 of the regulations is amended

(a) by the deletion of the words “project site” and the substitution of the word “worksites”; and

(b) by the deletion of the words “CSA Standard Z195 “Protective Footwear”” and the substitution of the words “CSA Standard Z195-14, Protective Footwear.”.

44. Subsection 45.18(2) of the regulations is amended by the deletion of the words “the CSA Standard Z180.1 “Compressed Breathing Air””

and the substitution of the words “CSA Standard Z180.1-19, Compressed Breathing Air and Systems”.

45. The heading immediately before section 47.1 of the regulations is amended by the deletion of the word “CONSTRUCTION”.

46. Section 47.1 of the regulations is amended by the deletion of the words “construction work in a compressed air environment meets the CSA Standard Z275.3 “Occupational Safety Code for Construction Work in Compressed Air”” and the substitution of the words “that work in a compressed air environment is conducted in accordance with CSA Standard Z275.3-09, Occupational Safety Code for Work in Compressed Air Environments”.

47. Section 48.1 of the regulations is amended by the deletion of the words “CSA Standard Z275.2,” and the substitution of the words “CSA Standard Z275.2-20,”.

48. These regulations come into force on March 6, 2021.

EXPLANATORY NOTES

SECTION 1 amends the definition section, section 1.4, of the regulations.

SECTION 2 updates the reference to the Workers Compensation Board’s Occupational Health and Safety Division in section 1.5 of the regulations.

SECTION 3 changes the reference from “employees” to “workers” wherever it occurs in the specified provisions to be consistent with the terminology used in the *Occupational Health and Safety Act*.

SECTION 4 makes a minor amendment to wording in sections 2.4 and 2.5 of the regulations.

SECTION 5 revokes subsection 2.6(3) of the regulations and substitutes a new subsection 2.6(3) which places an obligation on an employer to supply and maintain adequate changing and showering facilities where it is practicable to do so.

SECTION 6 adds a new provision to the regulations, section 2.9, which places an obligation on an employer to provide emergency washing facilities in a work area where a worker’s eyes or skin may be exposed to harmful or corrosive materials that may burn or irritate the eyes or skin. The provision specifies that where an assessment of risks determines that an emergency shower or eyewash fountain is required, the shower or fountain must be installed, tested and maintained in accordance with the relevant ANSI Standard for emergency eyewash and shower equipment.

SECTION 7 amends clause 8.1(2)(a) of the regulations to update the relevant CSA Standard for the measurement of noise exposure.

SECTION 8 amends subsection 8.4(3) of the regulations to update the relevant CSA Standard in respect of the measurement of noise exposure and relevant ANSI Standard in respect of the specification for personal noise dosimeters.

SECTION 9 amends clause 8.7(1)(d) of the regulations to update the relevant CSA Standard in respect of hearing protection devices and their performance, selection, care and use.

SECTION 10 amends subsection 9.1(1) of the regulations, the definition section in respect of the first aid provisions under Part 9. New definitions are added and others that are no longer needed are revoked. Clause 9.1(2)(c) of the regulations is revoked and a new clause 9.1(2)(c) is substituted to authorize an organization or person to provide first aid courses.

SECTION 11 makes a minor adjustment to wording in subsection 9.3(1) of the regulations, adds a new subsection 9.3(1.1) in respect of workplace first aid supplies and services, revokes subsection 9.3(2) of the regulations and substitutes a new subsection 9.3(2) which places an obligation on an employer to assess the risks that workers are likely to encounter at a workplace and ensure there are adequate first aid supplies and services at the workplace. Provisions are added to section 9.3 that pertain to the requirements and contents of a workplace first aid risk assessment.

SECTIONS 12 and 13 amend sections 9.5 and 9.6 of the regulations respectively to replace the wording “first aid provider” with “first aider.”

SECTION 14 revokes section 9.7 of the regulations and substitutes a new section 9.7 that outlines first aid requirements at a workplace with low-risk work, a workplace where work is conducted other than low-risk work or a workplace where both low-risk work and work other than low-risk work are conducted. A provision is added to provide that where a worker is working alone at a workplace the employer shall ensure, where reasonable, the worker holds a valid Emergency First Aid Certificate.

SECTION 15 revokes section 9.8 of the regulations and substitutes a new section 9.8 that specifies the first aid requirements in respect of a vehicle or boat used by or under the control of an employer for transporting workers to and from a workplace.

SECTION 16 amends subsection 9.10(1) of the regulations to change the term “first aid provider” wherever it occurs to “first aider.”

SECTION 17 revokes section 9.11 of the regulations and substitutes a new section 9.11 in respect of the classification of required first aid kits and supplies, as determined by the first aid risk assessment conducted under Part 9. The minimum requirements for the contents of workplace first aid kits are to comply with the relevant CSA Standard for first aid kits for the workplace. The provision specifies that first aid kits are to be readily accessible to all workers at a workplace. Employers are authorized to increase the minimum requirements in respect of the contents of workplace first aid kits to account for any specific workplace hazards or risks.

SECTION 18 revokes section 9.14 of the regulations and substitutes a new section 9.14 that outlines the requirements for a first aid room at a workplace. A new section 9.15 is added to the regulations to authorize a transition period for an employer who is in compliance with Part 9 of the regulations as the provisions of Part 9 read immediately before the coming into force of the new Part 9.

SECTION 19 amends section 10.1 of the regulations to update the ANSI Standard in respect of the safe use of lasers.

SECTION 20 revokes clause 12.3(b) of the regulations and substitutes a new clause 12.3(b) to specify it is the obligation of an employer to ensure workers do not enter an excavation or a trench four feet or more in depth unless the requirements of shoring are met and CSA approved safety headwear and footwear are provided and worn by the workers.

SECTION 21 amends section 13.3 of the regulations to make minor adjustments to wording.

SECTION 22 revokes section 14.1 of the regulations in respect of the use of safety belts with lifelines as the requirements are outlined in section 14.2 and the new section 14.4.

SECTION 23 makes a minor adjustment to wording in section 14.2 of the regulations.

SECTION 24 corrects punctuation in section 14.3 of the regulations.

SECTION 25 revokes section 14.4 of the regulations and substitutes a new section 14.4 to specify where a worker is exposed to a hazardous condition another worker is to be stationed in a position to safely effect the rescue of the exposed worker. The provision places an obligation on an employer to ensure ropes for lifelines meet specified requirements and that lifelines are to be connected to ensure there is the least amount of slack line to limit the free fall of a worker and that one worker is to be attached to one lifeline.

SECTION 26 revokes section 14.5 of the regulations which is no longer needed.

SECTION 27 amends section 25.7 of the regulations to provide the current reference and citation for the *Fire Prevention Act*.

SECTION 28 revokes section 28.1 of the regulations and substitutes a new section 28.1 which places an obligation on an employer to ensure a powder-actuated fastening system meets the minimum requirements of the relevant ANSI Standard.

SECTION 29 revokes Part 33 of the regulations and substitutes a new Part 33 in respect of powered mobile equipment. Part 33, in sections 33.1 to 33.19, specifies the mutual obligations and safety requirements of employers, operators and workers in respect of the use, operation, maintenance and repair of powered mobile equipment.

SECTION 30 amends subsection 34.2(2) of the regulations to update the relevant CSA and ANSI Standards in respect of hoisting apparatus’.

SECTIONS 31, 32 and 33 amend sections 35.3, 35.5 and subsection 36.4(2) of the regulations respectively to update the relevant CSA Standards.

SECTION 34 revokes the heading immediately before section 38.1 of the regulations in respect of wood working and revokes section 38.1 in respect of the CSA Standard for the wood working industry which is no longer needed.

SECTION 35 revokes definitions in section 41.1 of the regulations in respect of forest operations that are no longer needed and corrects a spelling error.

SECTIONS 36 and 37 amend section 41.4 and clause 41.6(a) of the regulations respectively to make minor adjustments to wording.

SECTION 38 amends clause 44.1(2)(g) of the regulations to update the relevant CSA Standard in respect of the safety standard for electrical installation.

SECTION 39 adds a new section under Part 45 of the regulations, Personal Protective Equipment. Section 45.01 is added to the regulations to provide two new definitions, “lifejacket” and “personal flotation device.”

SECTION 40 adds two new sections to the regulations, sections 45.4.1 and 45.4.2 in respect of the necessity for an employer to provide a lifejacket and personal flotation device to a worker employed under conditions that involve the risk of drowning. An employer must ensure that lifejackets and personal flotation devices are inspected and maintained and that records of all inspections and maintenance are kept by the employer for the life of the device.

SECTION 41 amends section 45.5 of the regulations to update the relevant CSA Standard in respect of industrial protective headwear and their performance, selection, care and use.

SECTION 42 amends section 45.7 of the regulations to update the relevant CSA Standard in respect of eye and face protectors.

SECTION 43 amends section 45.15 of the regulations to make a minor adjust to wording and update the relevant CSA Standard in respect of protective footwear.

SECTION 44 amends subsection 45.18(2) of the regulations to update the relevant CSA Standard in respect of compressed breathing air and systems.

SECTION 45 removes a word from the heading immediately before section 47.1 of the regulations that is no longer needed.

SECTION 46 amends section 47.1 of the regulations to update the relevant CSA Standard in respect of the occupational safety code for work in compressed air environments.

SECTION 47 amends section 48.1 of the regulations to update the relevant CSA Standard in respect of underwater diving operations.

SECTION 48 provides for the commencement of the regulations.

EC2021-127

PROVINCIAL COURT ACT BILINGUAL JUDGES APPOINTMENTS

Pursuant to section 2.1 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed the following persons, bilingual Judges of the Provincial Court of New Brunswick, to preside over proceedings in the Provincial Court of Prince Edward Island when an accused has requested that the proceedings be conducted in French, effective February 23, 2021:

Judge Nicole Angers
 Judge Suzanne Bernard
 Judge Marco Cloutier
 Judge Joanne Durette
 Judge Natalie H. LeBlanc
 Judge Johanne Marguerite Landry
 Judge Brigitte Sivret
 Judge Brigitte Volpé

EC2021-128

PROVINCIAL DEBENTURE ISSUE MAXIMUM AGGREGATE PRINCIPAL AMOUNT \$125,000,000.00 STATEMENT RECEIVED

Pursuant to subsection 49(6) of the *Financial Administration Act*, R.S.P.E.I. 1988, Cap. F-9, Council received the following details from the Minister of Finance as to the sum of money raised pursuant to Order-in-Council EC2020-221 dated March 21, 2020:

Principal amount:	\$125,000,000.00
Interest Rate:	1.2%
Date of Issue:	February 4, 2021
Date of Maturity:	February 11, 2028

EC2021-129

SUMMARY PROCEEDINGS ACT

TICKET REGULATIONS
AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Part 30 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by addition of the following after item 73:

73.1 Operating a motor vehicle not equipped with required ignition interlock device	89.1(1)	1,500
73.2 Person soliciting breath sample from another person for the purpose of assisting the person to start a motor vehicle equipped with an ignition interlock device	89.1(2)(a)	1,500
73.3 Person soliciting breath sample from another person for the purpose of assisting the person to keep a motor vehicle equipped with an ignition interlock device in motion	89.1(2)(b)	1,500
73.4 Person knowingly assists a person to start a motor vehicle equipped with an ignition interlock device	89.1(3)(a)	1,500
73.5 Person knowingly assists a person to keep a motor vehicle equipped with an ignition interlock device in motion	89.1(3)(b)	1,500
73.6 Tampering with, interfering with or disabling an ignition interlock device installed in a motor vehicle	89.1(4)	1,500
73.7 Owner or person in possession or control of a motor vehicle not equipped with an ignition interlock device knowingly permits a person who is only permitted to operate a motor vehicle equipped with an ignition interlock device to operate the unequipped motor vehicle	89.1(5)	1,500

(b) in item 88, by the addition of the words “or tow truck” after the words “emergency vehicle”;

(c) in item 89, by the addition of the words “or tow truck” after the words “emergency vehicle”;

(d) in item 189, by the deletion of the words “60 km/hr over limit” and the substitution of the words “60-79 km/hr over limit”;

(e) by the addition of the following after item 189:

189.1 Speeding from 80 km/hr or more over limit.....	176(3)(b)(v)	\$50 plus \$25 per km/hr over limit
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(f) in item 193, by the deletion of the words “60 km/hr and plus over limit” and the substitution of the words “60-79 km/hr over limit”;

(g) by the addition of the following after item 193:

193.1 Construction and School Zone..... Speeding 80 km/hr or more over limit	176(3.1)(b)(v)	\$100 plus \$25 per km/hr over limit
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(h) by addition of the following after item 328:

328.1 Holder of restricted license operating a motor vehicle not equipped with required ignition interlock device	261(1.3)(a)	1,500
328.2 Holder of restricted license operating a motor vehicle contrary to the requirements of ignition interlock program	261(1.3)(b)	1,500
328.3 Holder of restricted license operating a motor vehicle equipped with an ignition interlock device that is not functioning properly, has been tampered with, interfered with or disabled	261(1.3)(c)	1,500

2. These regulations come into force on March 13, 2021.

EXPLANATORY NOTES

SECTION 1 amends Part 30 of Schedule 2 to the *Summary Proceedings Act* Ticket Regulations to update and add to the offences for which a ticket may be issued under the *Highway Traffic Act*. The offences and penalty amounts pertain to the misuse of an ignition interlock device and speeding.

SECTION 2 provides for the commencement of the regulations.

EC2021-130**AN ACT TO AMEND THE VITAL STATISTICS ACT
DECLARATION RE**

Under authority of section 14 of the *An Act to Amend the Vital Statistics Act* Stats. P.E.I. 2019, c. 37 Council ordered that a Proclamation do issue proclaiming section 6(1)(a) of the said "An Act to Amend the Vital Statistics Act" to come into force effective March 6, 2021.

EC2021-131**WATER ACT
DECLARATION RE**

Under authority of section 84 of the *Water Act* Stats. P.E.I. 2017, c. 17 Council ordered that a Proclamation do issue proclaiming the said "Water Act" to come into force effective June 16, 2021.