

1979 BILL 71

First Session, 19th Legislature, 28 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 71

**THE OCCUPATIONAL HEALTH AND SAFETY
AMENDMENT ACT, 1979**

MR. LITTLE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 71
Mr. Little

BILL 71

1979

THE OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1979

(Assented to , 1979)

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

1 The Occupational Health and Safety Act is amended by this Act.

2 Section 1 is amended

(a) by adding the following after clause (a):

(a.1) “designated substance” means a substance designated in the regulations as a designated substance;

(a.2) “Director” means the Director of Inspection, the Director of Medical Services or the Director of Occupational Hygiene;

(b) in clause (c) by striking out “Occupational Health and Safety”,

(c) by adding the following after clause (e):

(e.1) “hazardous material” means material designated in the regulations as hazardous material;

(e.2) “hazardous occupation” means an occupation designated in the regulations as a hazardous occupation;

(e.3) “hazardous work site” means a work site designated in the regulations as a hazardous work site;

(d) by adding the following after clause (f):

(f.1) “notifiable disease” means a disease or a state of ill health designated in the regulations as a notifiable disease;

Explanatory Notes

1 This Bill will amend chapter 40 of the Statutes of Alberta, 1976.

2 Section 1 presently reads in part:

1 In this Act,

(c) "Director of Inspection" means a person appointed under section 3 as the Director of Occupational Health and Safety Inspection;

(i) "officer" means a person appointed under section 3 as an Occupational Health and Safety Officer;

(j) "principal contractor" means the person, partnership or group of persons primarily responsible for the carrying out of a project and includes the person, partnership or group of persons who own the thing in respect of which the project is being carried out;

(k) "project" means

(ii) the digging of, working in or filling of a trench or excavation, or

(v) any work designated by the Director of Inspection as a project;

(l) "supplier" means any person who rents, leases, erects or installs any tools, appliances or equipment to be used by a worker in respect of any occupation, project or work site,

(n) "work site" means any location where a worker is engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.

New definitions of "designated substance", "Director", "hazardous material", "hazardous occupation", "hazardous work site", "notifiable disease" and "peace officer" are added.

(e) in clause (i) by adding “a Director or” after “means”,

(f) by adding the following after clause (i):

(i.1) “peace officer” means a member of the Royal Canadian Mounted Police or a member of a municipal police force;

(g) by repealing clause (j) and substituting the following:

(j) “principal contractor” means a person, partnership or group of persons who enter into a contractual arrangement with an employer under which workers in the employ of that employer carry out their occupations at a work site that the person, partnership or group of persons owns or for which that person, partnership or group of persons is primarily responsible;

(h) in clause (k)

(i) in subclause (ii) by striking out “or excavation” and substituting “, excavation, shaft or tunnel”, and

(ii) in subclause (v) by adding “or the Director of Occupational Hygiene” after “Inspection”;

(i) by repealing clause (l) and substituting the following:

(l) “supplier” means a person who rents, leases, erects, installs or provides any tools, appliances or equipment or who sells or otherwise provides any designated substance or hazardous material to be used by a worker in respect of any occupation, project or work site;

(j) by repealing clause (n) and substituting the following:

(n) “work site” means a location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.

3 Section 2 is amended

(a) in subsection (2)(b) by renumbering subclause (i) as subclause (i.1) and by adding the following before subclause (i.1):

(i) himself,

(b) by repealing subsections (3) and (4) and substituting the following:

(3) Every supplier shall ensure, as far as it is reasonably practicable for him to do so, that any tool, ap-

3 Section 2 presently reads in part:

2(1) Every employer shall ensure, as far as it is reasonably practicable for him to do so, the health and safety of

(a) workers engaged in the work of that employer, and

(2) Every worker shall, while engaged in an occupation,

(b) co-operate with his employer for the purposes of protecting the health and safety of

pliance or equipment that he supplies is in safe operating condition.

(4) Every supplier shall ensure that any tool, appliance, equipment, designated substance or hazardous material that he supplies complies with the standards prescribed or adopted by this Act or the regulations.

(5) Every principal contractor shall ensure, as far as it is reasonably practicable for him to do so, that every employer and every worker engaged in an occupation at a work site owned by him or for which he is primarily responsible complies with this Act and the regulations.

4 Section 3(1) is amended by striking out “Occupational Health and Safety Inspection” and substituting “Inspection”.

5 Section 6 is amended

(a) in subsection (1)

(i) by striking out “purpose of ensuring compliance with the provisions of this Act or the regulations or of any order made under this Act or the regulations” and substituting “purposes of this Act”,

(ii) in clause (c) by striking out “inspect and” and substituting “inspect, seize or”, and

(iii) by adding the following after clause (d):

(e) interview and obtain statements from persons at the work site.

(b) in subsection (2)(b)

(i) by striking out “takes samples” and substituting “seizes or takes samples”, and

(ii) by striking out “were taken” wherever it occurs and substituting “were seized or taken”,

(c) in subsection (3)

(i) by striking out “Director or” wherever it occurs,

(i) other workers engaged in the work of the employer, and

(ii) other workers not engaged in the work of that employer but present at the work site at which that work is being carried out.

(3) Every supplier shall ensure, as far as it is reasonably practicable for him to do so, that any tool, appliance or equipment that he supplies

(a) is in safe operating condition, and

(b) complies with the standards, if any, prescribed or adopted by the regulations.

(4) Every principal contractor engaged in a project shall ensure, as far as it is reasonably practicable for him to do so, that every employer and every worker performing work in respect of that project complies with this Act and the regulations.

4 Section 3(1) presently reads:

3(1) In accordance with The Public Service Act, there may be appointed a Director of Occupational Health and Safety Inspection, a Director of Medical Services, a Director of Occupational Hygiene, Occupational Health and Safety Officers and such other employees as may be necessary for the administration of this Act.

5 Section 6 presently reads in part:

6(1) For the purpose of ensuring compliance with the provisions of this Act or the regulations or of any order made under this Act or the regulations, the Director of Inspection or an officer may

(c) inspect and take samples of any material, product, tool, appliance or equipment being produced, used or found in or upon the work site which is being inspected;

(2) Where the Director of Inspection or an officer

(b) takes samples of any material, product, tool, appliance or equipment under subsection (1), clause (c), he shall

(i) give to the person from whom those items were taken a receipt for those items, and

(ii) upon that person's request, return those items to that person when those items have served the purposes for which they were taken.

(3) Where a person refuses to allow the Director of Inspection or an officer to exercise any powers under subsection (1) or interferes or attempts to interfere with the Director or officer in the exercise of those powers, the Director may apply to the District Court by way of originating notice for an order restraining that person from preventing or interfering in any manner with the Director or officer in the exercise of those powers.

(ii) *by adding “of Inspection” after “powers, the Director”, and*

(iii) *by striking out “District Court” and substituting “Court of Queen’s Bench”,*

(d) *by adding the following after subsection (3):*

(4) A statement given under this section is not admissible in evidence for any purpose in a trial, public inquiry under *The Fatality Inquiries Act* or other proceeding except to prove

(a) non-compliance with this section, or

(b) a contravention of section 32(2.1)

in an action or proceeding under this Act.

6 *Section 7 is amended*

(a) *in subsection (1) by striking out “the Director or” wherever it occurs, and*

(b) *in subsection (2)*

(i) *by striking out “the Director of Inspection” and substituting “an officer”, and*

(ii) *by striking out “of the Director” and substituting “of the officer”.*

7 *Section 8 is amended*

(a) *in subsection (1)*

(i) *by striking out “employment, the Director or”, and substituting “employment,”, and*

(ii) *as to clause (c) by striking out “the Director or the officer, as the case may be,” and substituting “the officer”,*

(b) *in subsection (3)*

(i) *by striking out “the Director of Inspection or an Occupational Health and Safety Officer” and substituting “an officer”, and*

6 Section 7(2) presently reads:

(2) Where the Director of Inspection is of the opinion that any of the provisions of this Act or the regulations are not being complied with, he may in writing order the person who, in his opinion, is not complying with that provision to take measures as specified in the order that are, in the opinion of the Director, necessary to ensure that the provisions of the Act or the regulations will be complied with, within the time limits specified in the order.

The amendment to subsection (1) deletes the reference to Director of Inspection.

7 Section 8(3) presently reads:

(3) Where requested to do so by the Director of Inspection or an Occupational Health and Safety Officer, a peace officer shall assist the Director or the Occupational Health and Safety Officer, as the case may be, in carrying out his duties under this section.

The amendment to subsection (1) deletes the reference to Director of Inspection.

(ii) *by striking out “the Director or the Occupational Health and Safety Officer, as the case may be,” and substituting “the officer”.*

8 *Section 9 is amended*

(a) *in subsection (1)*

(i) *by adding “or that may be used” after “being used”,*

(ii) *by striking out “Director or officer, as the case may be,” and substituting “officer”, and*

(iii) *by adding “or to refrain from using” after “using”,*

(b) *in subsection (2) by striking out “Director or officer, as the case may be,” and substituting “officer”.*

9 *The following is added after section 9:*

9.1(1) Where an officer is of the opinion that the storage, handling or use of a substance or material does not comply with the standards prescribed or adopted by the regulations, the officer may in writing order the person responsible for the storage, handling or use of the substance or material to take those measures specified in the order that are, in the opinion of the officer, necessary to ensure that the standards are complied with.

(2) Where an officer is of the opinion that a supplier is supplying any substance or material that does not comply with the standards prescribed or adopted by the regulations, the officer may in writing order that supplier to stop supplying that substance or material.

(3) Where an officer makes an order under this section, he may in writing rescind that order upon being satisfied that the material or substance is being supplied, stored, handled or used in compliance with standards prescribed or adopted by the regulations.

10 *Section 10 is amended by adding “or the Director of Occupational Hygiene” after “Director of Inspection” wherever it occurs.*

11 *Section 11(1) is amended by adding “, 9.1” after “9”.*

8 Section 9(1) presently reads:

9(1) Where the Director of Inspection or an officer is of the opinion that any tool, appliance or equipment being used by a worker

(a) is not in safe operating condition, or

(b) does not comply with the standards prescribed or adopted by the regulations,

the Director or officer, as the case may be, may in writing order the worker to stop using that tool, appliance or equipment.

The amendment to subsection (2) deletes the reference to Director.

9 Storage, handling and use of substances or materials.

10 Gives the Director of Hygiene the power to issue stop orders.

11 Section 11(1) presently reads:

11(1) Any person to whom an order is issued under section 7, 8, 9, 10, 20 or 26 may appeal the order to the Council.

12 Section 13 is amended

(a) by repealing subsections (1) and (2) and substituting the following:

13(1) If a serious injury or an accident that had the potential of causing serious injury to a person occurs at a work site, the employer responsible for that work site shall

(a) by telephone or similar means immediately notify the Director of Inspection as to the time, place and nature of the accident or injury, and

(b) within 48 hours of the accident forward a written report of the accident or injury to the Director of Inspection.

(2) For the purposes of subsection (1) “serious injury” has the meaning given to it in the regulations.

(b) in subsection (3) by striking out “or (2)”.

13 Section 14 is amended

(a) by repealing subsection (1) and substituting the following:

14(1) If an accident occurs at a work site, an officer may attend upon the scene of the accident and may make any enquiries that he considers necessary to determine the cause of the accident and the circumstances relating to the accident.

(b) in subsection (2)

(i) by striking out “the Director of Inspection or”,

(ii) by striking out “the Director or”, and

(iii) by striking out “Director or”,

(c) by repealing subsection (3) and substituting the following:

(3) An officer may, for the purposes of determining the cause of the accident, seize or take samples of any substance, material, product, tool, appliance or equipment that was present at, involved in or related to the accident.

(3.1) If an officer seizes or takes samples of any substance, material, product, tool, appliance or equipment under subsection (3), he shall

12 Section 13 presently reads in part:

13(1) Where an accident which

(a) results in serious injury to or the death of a person, or

(b) had reasonable potential of causing serious injury to or the death of a person,

takes place at or upon a work site, other than a work site at which a project is being carried out, the employer responsible for that work site shall immediately notify the Director of Inspection of that accident.

(2) Where an accident which

(a) results in serious injury to or the death of a person, or

(b) had reasonable potential of causing serious injury to or the death of a person,

takes place at or upon a work site at which a project is being carried out, the principal contractor engaged in that project shall immediately notify the Director of Inspection of that accident.

The amendment to subsection (3) corrects a reference.

13 Section 14 presently reads in part:

14(1) The Director of Inspection or an officer may, where practicable, attend upon the scene of an accident reported under section 13 and make such enquiries as are necessary to determine the cause of the accident and the circumstances relating to the accident.

(3) The Director of Inspection or an officer may, for the purpose of determining the cause of the accident, take samples of any substance, material, product, tool, appliance or equipment that was present at, involved in or related to the accident.

(4) Any statement given under this section is not admissible in evidence for any purpose in a trial, coroner's inquest or other proceeding arising out of the accident except to prove

(a) non-compliance with this section, or

(b) a contravention of subsection (6).

(5) Subject to subsection (4), nothing in this section precludes the Director of Inspection or an officer from attending at a trial, coroner's inquest or other proceeding and testifying in respect of any information obtained or samples taken under this section.

(6) Any person who knowingly makes any false statement or knowingly gives false information with respect to any inquiries or investigations under this section is guilty of an offence and liable on summary conviction to a fine of not more than \$500 or to imprisonment for a term not exceeding six months or to both fine and imprisonment.

(a) give to the person from whom those items were seized or taken a receipt for those items, and

(b) upon that person's request, return those items to that person when those items have served the purposes for which they were seized or taken.

(f) by repealing subsections (4), (5) and (6) and substituting the following:

(4) A statement given under this section is not admissible in evidence for any purpose in a trial, public inquiry under *The Fatality Inquiries Act* or other proceeding except to prove

(a) non-compliance with this section, or

(b) a contravention of section 32(2.1)

in an action or proceeding under this Act.

(5) A peace officer may assist an officer in carrying out his duties under this section if the officer so requests.

14 *Section 17 is amended*

(a) by striking out "an occupational disease designated by the regulations as an occupational disease to which this section applies" and substituting "a notifiable disease", and

(b) by striking out "designated occupational disease" and substituting "notifiable disease".

15 *Section 18 is repealed and the following is substituted:*

18(1) A physician who performs or supervises a medical examination of a worker as required under this Act or the regulations shall, upon the request of the Director of Medical Services, furnish any medical reports that the Director may require.

(2) A physician, nurse or first aid attendant at a work site who attends a worker who became ill or was injured while engaged in an occupation shall, upon the request of the Director of Medical Services, furnish any reports that the Director may require.

The amendments to subsection (2) remove the reference to the Director. Subsection (6) will be moved to section 32 of the Act.

14 Section 17 presently reads:

17 Where a physician, in the course of his practice as a physician, finds that a person examined by him is affected with or is suffering from an occupational disease designated by the regulations as an occupational disease to which this section applies, the physician shall, within seven days of the diagnosis of that disease, notify the Director of Medical Services in writing of the name, address and place of employment of that person and the name of the designated occupational disease.

15 Section 18 presently reads:

18 Where

(a) it comes to the attention of the Director of Medical Services that a physician attended a worker who became ill or was injured while engaged in an occupation, or

(b) a physician has performed a medical examination under section 15 or 19,

that physician shall, upon the request of the Director, furnish to the Director such medical reports as that Director may require.

16 Section 19(1) and (2) is repealed and the following is substituted:

19(1) If a worker is employed in a hazardous occupation or at a hazardous work site, the Director of Medical Services may

- (a) require that the worker's employer shall, within 30 days of the commencement of the worker's employment, register with the Director the worker's name and the location of the work site where he is employed,
- (b) require the worker to have regular medical examinations,
- (c) prescribe the type and frequency of the medical examinations,
- (d) prescribe the form and content of medical records to be compiled with respect to that worker, and
- (e) prescribe the period of time for which those medical records must be maintained.

17 The following is added after section 19:

19.1 A Director may require that a worker who is employed at a coal mine or quarry shall

- (a) be qualified or certified or undertake instruction, training or supervision as prescribed by the regulations, and
- (b) produce evidence that he is so qualified or certified or that he has undertaken the prescribed instruction, training or supervision.

18 Section 20 is amended

(a) by striking out "The Director of Occupational Hygiene" and substituting "A Director", and

(b) in clause (a) by striking out "health" and substituting "occupational".

16 Section 19(1) and (2) presently reads:

19(1) Where a worker

(a) is engaged in an occupation designated by the regulations as a hazardous occupation for the purposes of this section, or

(b) works at a work site or class of work site designated by the regulations as a hazardous work site for the purposes of this section,

the employer of that worker shall, within 10 days of the commencement of that worker's employment, register with the Director of Medical Services the name of that worker and the location of the work site where that worker is engaged in his occupation.

(2) Where a person is registered under subsection (1), the Director of Medical Services may

(a) require that person to have regular medical examinations,

(b) prescribe the type and frequency of the medical examinations,

(c) prescribe the form and content of medical records to be compiled with respect to that person, and

(d) prescribe the period of time that those medical records must be maintained.

17 Qualifications of workers at coal mines or quarries.

18 Section 20 presently reads:

20 The Director of Occupational Hygiene may, by written order,

(a) require a principal contractor or an employer to inspect regularly any work site under the control of that principal contractor or employer for health hazards, and

(b) prescribe the manner, methods and procedures or any of them to be used for carrying out those inspections.

19 *Section 24 is amended*

(a) *by repealing subsection (1) and substituting the following:*

24(1) If any designated substance is used, stored or manufactured at or on a work site, the person responsible for that work site shall compile a written report with respect to that designated substance containing the information and in the form prescribed by the Director of Occupational Hygiene.

(b) *by repealing subsection (4).*

20 *Section 25 is amended*

(a) *by repealing subsections (2) and (3) and substituting the following:*

(2) A joint work site health and safety committee shall consist of workers who represent the workers at the work site and persons who represent the employer or principal contractor and employers, as the case may be, responsible for that work site.

(3) The number of persons on a joint work site health and safety committee who represent the employer or the principal contractor and employers, as the case may be, shall not exceed in total the number of workers on the committee who represent the workers at the work site.

(b) *by repealing subsections (4) and (7).*

19 Section 24 presently reads in part:

24(1) Where any designated substance is used, stored or manufactured at or on a work site, the person responsible for that work site shall compile, in a manner and form approved by the Director of Occupational Hygiene, written information in respect of that substance which shall include

- (a) the common name and chemical name of that substance,*
- (b) the chemical composition and the physical and chemical properties of that substance,*
- (c) the toxicological information respecting that substance,*
- (d) the effect of exposure or contact on humans of that substance,*
- (e) the protective measures used in respect of that substance,*
- (f) the methods of disposal of that substance, and*
- (g) such other information as the Director prescribes.*

(4) In this section "designated substance" means a substance designated by the regulations as a substance to which this section applies.

The repeal of subsection (4) is consequential to section 2(a) of this Bill.

20 Section 25 presently reads in part:

(2) A joint work site health and safety committee shall consist of workers who represent the workers at the work site and

- (a) in the case of a work site at which a project is being carried out, persons who represent the principal contractor engaged in the project and employers who have workers at that work site, or*
- (b) in the case of a work site other than a work site at which a project is being carried out, one or more persons who represent the employer responsible for that work site.*

(3) The number of persons on a joint work site health and safety committee who represent

- (a) the principal contractor and the employers, in respect of a work site at which a project is being carried out, or*
- (b) the employer, in respect of a work site other than one at which a project is being carried out,*

shall not exceed in total the number of workers on that joint work site health and safety committee who represent the workers at the work site.

(4) Where a joint work site health and safety committee is established, the names of the members of that committee shall be posted by

- (a) the principal contractor, in the case of a work site at which a project is being carried out, or*

21 Section 26 is amended by striking out “The Director of Inspection” in subsections (1) and (3) and substituting “A Director”.

22 Section 30(3) is repealed.

23(1) Section 31(1) is amended

(a) in clause 5. by striking out “health hazards” and substituting “occupational hazards to workers”,

(b) in clause 14. by striking out “an occupational disease to which section 17 applies” and substituting “a notifiable disease”,

(c) in clauses 15. and 16. by striking out “for the purposes of section 19”,

(d) by repealing clause 17. and substituting the following:

(b) the employer, in the case of a work site other than a work site at which a project is being carried out,

in a location readily accessible to the workers at that work site.

(7) The Lieutenant Governor in Council may make regulations prescribing

(a) the number of persons that may be appointed as members of a joint work site health and safety committee and their terms of office;

(b) the method of electing or appointing persons to a joint work site health and safety committee and the method of appointing a chairman or co-chairmen of a committee;

(c) the frequency of meetings of a joint work site health and safety committee;

(d) the duties and functions to be performed by a joint work site health and safety committee.

Subsections (4) and (7) will be moved to section 31 of the Act.

21 Section 26 presently reads in part:

26(1) The Director of Inspection may in writing order a principal contractor or employer responsible for a work site to establish a code of practice specifying safe working procedures in respect of that work site.

(3) The Director of Inspection may from time to time require that the code of practice be revised.

22 Section 30(3) presently reads:

(3) The Lieutenant Governor in Council may make regulations

(a) authorizing assessments to be made against employers;

(b) prescribing the amounts that may be assessed against employers;

(c) prescribing the manner in which the assessments may be made.

This provision will be moved to section 31 of the Act.

23 Section 31 presently reads in part:

31(1) The Lieutenant Governor in Council may make regulations

5. governing the regular inspection of work sites by the principal contractor or employer for health hazards;

14. designating a disease as an occupational disease to which section 17 applies;

15. designating an occupation as a hazardous occupation for the purposes of section 19;

17. defining “serious injury” for the purposes of section 13;

(e) *by repealing clause 18. and substituting the following:*

18. governing the medical examination of workers or any class of workers;

(f) *in clause 22. by striking out “the Director of Occupational Hygiene” and substituting “a Director”,*

(g) *by repealing clause 23. and substituting the following:*

23. designating any substance or material as a designated substance or hazardous material;

(h) *in clause 24. by striking out “materials or substances designated as being a hazardous substance or material” and substituting “a designated substance or hazardous material”,*

(i) *by repealing clause 26. and substituting the following:*

26. requiring and governing the posting of

(i) health and safety notices issued by a Director,

(ii) orders made under this Act or the regulations,

(iii) names of members of a joint work site health and safety committee, or

(iv) the recorded minutes of a meeting of a joint work health and safety committee meeting;

26.1. prescribing the number of persons that may be appointed as members of a joint work site health and safety committee and their terms of office;

26.2. prescribing the method of electing or appointing persons to a joint work site health and safety committee and the method of appointing a chairman or co-chairman of a committee;

26.3. prescribing the frequency of meetings of a joint work site health and safety committee;

26.4. prescribing the duties and functions to be performed by a joint work site health and safety committee;

(j) *in clause 28. by striking out “of a material or substance designated as a hazardous substance or material” and substituting “of a designated substance or a hazardous material”,*

16. designating a work site or any class of work site as a hazardous work site for the purposes of section 19;

18. prescribing the nature and frequency of medical examinations of workers or any classes of workers;

20. prescribing the forms or documents that must be completed by any person reporting any matter under this Act or the regulations and the method of forwarding those forms or documents to the Director of Inspection, the Director of Medical Services, the Director of Occupational Hygiene or an officer, as the case may be;

22. prohibiting any person who does not have the qualifications approved by the Director of Occupational Hygiene from undertaking physical or chemical examinations of work sites;

23. designating for the purpose of the regulations any substance or material as a hazardous substance or material;

24. governing the examination, testing and labelling, or any of them, of materials or substances designated as being a hazardous substance or material;

25. governing the instruction, training or supervision of persons

(i) engaged in occupations designated as hazardous occupations, or

(ii) working at or upon work sites designated as hazardous work sites;

26. requiring and governing the posting of

(i) health and safety notices issued by the Director of Inspection, and

(ii) orders made under this Act or the regulations,

and prohibiting the removal of those notices or orders except in accordance with the regulations;

28. governing the supply, transportation, use, storage and disposal, or any of them, of a material or substance designated as a hazardous substance or material;

29. prohibiting any person other than those licensed by the Director from transporting, using, storing or disposing of a material or substance that is designated as a hazardous substance or material;

(2) The Director of Inspection may designate any work as a project.

(k) in clause 29

(i) by striking out “the Director” and substituting “a Director”, and

(ii) by striking out “of a material or substance that is designated as a hazardous substance or material” and substituting “of a designated substance or a hazardous material”, and

(l) by adding the following after clause 31:

32. governing assessments to be made against employers for the purposes of section 30;

33. governing the qualifications and certification of workers at coal mines and quarries;

34. providing for the appointment of qualifications boards to prescribe qualifications and certification for workers at coal mines and quarries;

35. governing the duties, membership and the terms of office of members of a board appointed under clause 34 and authorizing the payment of remuneration and expenses to those members;

36. prohibiting the employment of workers at coal mines or quarries unless those workers meet the qualifications prescribed by regulations under clause 33 or by a board appointed under clause 34;

37. specifying which work sites are coal mines or quarries for the purposes of this Act.

(2) Section 31(2) is amended by adding “or the Director of Occupational Hygiene” after “Inspection”.

24 Section 32 is amended

(a) in subsection (1)

(i) in clause (a) by striking out “\$5,000” and substituting “\$15 000”, and

(ii) in clause (b) by striking out “\$10,000” and substituting “\$30 000”, and

(b) by adding the following after subsection (2):

(2.1) A person who knowingly makes any false statement or knowingly gives false information to an officer

24 Punishment for first offence under Act raised to \$15 000 and for second offence raised to \$30 000. Proposed subsection (2.1) deals with false statements. Proposed subsection (4) will set the limitation period at one year.

or a peace officer engaged in an inspection or investigation under section 6 or 14 is guilty of an offence and liable on summary conviction to a fine of not more than \$500 or to imprisonment for a term not exceeding 6 months or to both fine and imprisonment.

(c) *by adding the following after subsection (3):*

(4) A prosecution under this Act may be commenced within one year after the commission of the alleged offence, but not afterward.

25 *Section 33 is amended by striking out “District Court” and substituting “Court of Queen’s Bench”.*

26 *In the following provisions “the Director of Inspection or” is struck out wherever it occurs:*

Section 6;
Section 7(1);
Section 8(1) and (2);
Section 9.

27(1) *The following provisions are amended by striking out “The Coal Mines Safety Act” wherever it occurs and substituting “the regulations under The Occupational Health and Safety Act”:*

(a) *The Coal Conservation Act, sections 1(1)3 and 1(1)10;*

(b) *The Electrical Protection Act, section 12;*

(c) *The Land Surface Conservation and Reclamation Act, section 1(j);*

(d) *The Land Surveyors Act, section 53(2)(b);*

(2) *The Alberta Labour Act, 1973 is amended in section 29 by striking out “of The Coal Mines Safety Act or the regulations thereunder, the provisions of The Coal Mines Safety Act or the regulations prevail” and substituting “of the regulations under The Occupational Health and Safety Act, the provisions of those regulations prevail”.*

(3) *The Clay and Marl Crown Leases Act is amended in section 5(2) by striking out “the reports of a district inspector appointed under The Coal Mines Regulation Act and may consider such other evidence as he deems necessary” and substituting “such evidence as he considers necessary”.*

25 Corrects a reference.

26 Removes unnecessary references.

27 Consequential amendments to other Acts.

28 *The Mines and Minerals Act is amended*

(a) in section 4(2) by striking out “*The Quarries Regulation Act, The Coal Conservation Act, The Coal Mines Safety Act*” and substituting “*The Coal Conservation Act, the regulations under The Occupational Health and Safety Act*”, and

(b) in section 25 by striking out “*The Coal Mines Safety Act, The Oil and Gas Conservation Act and The Quarries Regulation Act*” and substituting “*The Oil and Gas Conservation Act and the regulations under The Occupational Health and Safety Act*”.

29 *The Coal Mines Safety Act and The Quarries Regulation Act are repealed on a date or dates to be fixed by Proclamation.*

30 *This Act comes into force on a date or dates to be fixed by Proclamation.*

28 Consequential amendment to chapter 238 of the Revised Statutes of Alberta 1970.

29 Repeals chapter 18 of the Statutes of Alberta, 1974 and chapter 305 of the Revised Statutes of Alberta 1970.