

BILL

No. 20 of 1911.

An Act respecting the Operation and Inspection of Boilers.

(Assented to 1911.)

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

SHORT TITLE.

1. This Act may be cited as “*The Boilers Act.*” Short title

INTERPRETATION.

2. In this Act, unless the context otherwise requires, the expression— Interpretation

1. “Boiler” means and includes any boiler carrying not less than twenty pounds pressure and not used for heating water for domestic purposes, nor for generating steam solely for the purpose of heating buildings, the engine or engines connected therewith, the pipes and connections and every part thereof or connected therewith and all apparatus attached to or used in connection therewith, for generation or storage of steam or air;

2. “Owner” means and includes any person, firm or corporation, the owner or lessee of a boiler, or the manager or other officer in charge of the business of any such firm or corporation; Owner

3. “Engineer” means any person having charge of or operating a steam boiler or the engine connected therewith; Engineer

4. “Fireman” means any person having charge of a steam boiler or boilers only of a capacity limited under the provisions of this Act; Fireman

5. “Person” means any male of the full age of eighteen years; Person

6. “Minister” means the Minister of Public Works of the Province of Alberta; Minister

7. “Inspector” means a provincial chief inspector of boilers, or an inspector of boilers appointed under the provisions of this Act; Inspector

8. “Inspection certificate” means the certificate of inspection of any boiler issued by an inspector; Inspection certificate

9. “Certificate” means the provisional, final, or interim certificate of qualification issued to any engineer or fireman under the provisions of this Act; Certificate

10. “Province” means the Province of Alberta; Province

11. “Regulations” means regulations issued by the department by authority of the Minister for the proper carrying into effect of the provisions of this Act; Regulations

12. “Department” means the Department of Public Works of the Province of Alberta; Department

13. “In charge” and “having charge” shall apply to the person having the control and direction of the operations of a boiler or boilers or engine or engines. In charge having charge

APPLICATION OF ACT.

3. This Act shall apply to all boilers being operated within the Province of Alberta except as hereinafter provided.

(2) The provisions of this Act shall not apply to steamboat boilers, and shall not apply to boilers used in operating railways owned by any duly incorporated railway company, which maintains adequate repair shops and employs competent boiler inspectors: Certain
boilers
exempted

Provided that the owner of such boilers shall expose for public view a certificate of inspection, fully filled out and signed by the inspector appointed by such owner:

Provided further, if such boilers have not been inspected within twelve months or the rating of such boilers is not satisfactory to an inspector appointed under the provisions of this Act, such inspector may inspect and decide the working pressure of such boiler and issue a certificate for the same, and collect the fee prescribed by this Act for inspection of similar boilers for such inspection:

Provided nothing herein contained shall exempt from the operation of this Act a boiler in operation upon any switch, siding or other connection from any duly incorporated railway as above mentioned to the premises of any elevator, manufactory, industry or business, if such switch or siding does not form a part of, and is not used by such railway company with whose track it is connected; nor any boiler operated in connection with such elevator, manufactory, industry or business.

(3) Boilers and their appurtenances used exclusively for heating purposes, but which are not herein required to be inspected, shall be provided with such appliances to insure safety as shall be prescribed by the regulations, and it shall be the duty of the inspector to inspect such boilers upon application of the owner or owners. Exempt
boilers
may be
inspected.

APPOINTMENT AND QUALIFICATION OF INSPECTORS.

4. The Lieutenant Governor in Council may appoint a chief inspector of boilers, and inspectors of boilers for the purpose of carrying out the provisions of this Act, and may fix the remuneration of such chief inspector and inspectors, and assign to each of such inspectors a particular portion of the province within which he shall have jurisdiction under this Act.

(2) No person shall be appointed an inspector of boilers unless he is a British subject has had five years' experience as a practical machinist or boiler maker, is the holder of an Alberta first-class engineer's certificate, is not interested directly or indirectly in the sale of boilers or steam machinery, and has passed a satisfactory examination before a board of examiners composed of inspectors, or such other persons as the Minister may direct. Qualifica-
tions of
inspectors

(3) Every inspector, before entering upon the performance of his duties, shall take and subscribe the following oath: Inspectors
to take oath
of office

"I,, do swear that I will faithfully and honestly fulfil the duties which devolve upon me as inspector of boilers, and that I will not ask or receive any sum of money, service, recompense or matter, or thing whatsoever, directly or indirectly, in return for what I have done or may do in the discharge of any of the duties of my said office, except my salary or what may be allowed me by law, or by an order of the Lieutenant Governor in Council, and that I am not, nor will be directly nor indirectly interested in the sale of boilers or steam machinery. So help me God."

(4) Every inspector shall keep a true and complete record of all boilers inspected, and all repairs ordered by him, of all boilers condemned by him as unsafe, of all accidents to boilers in his district, whether by explosion or otherwise, and of all casualties in connection with boilers in his district.

DUTIES OF INSPECTORS.

5. Every boiler in the province shall be inspected internally and externally, or tested by an hydrostatic test in the ratio of one hundred and fifty per cent. of the working pressure, or both, by an inspector once every year and at such other times as the inspector may see fit, and shall not be operated at pressures in excess of the safe working pressure stated in the inspection certificate, which pressure is to be ascertained from the regulations.

(2) In addition to such yearly inspection it shall be the duty of every inspector to inspect, at any time, when in his opinion such examination is necessary, all such boilers within his district as may be reported to him as unsafe, or, as he may have reason to believe, have become unsafe from any cause, and to notify the owner of such boiler if a defect is discovered, and of what repairs are necessary.

(3) If the owner of any boiler proves to the satisfaction of the inspector that his boiler has not been operated since the date of the previous inspection, and is in as good condition as when inspected, the inspector may issue a new inspection certificate without inspecting the boiler, and without charging any fee therefor.

6. If the owner of any boiler desires a special inspection or any other special service from an inspector, he shall be entitled to same upon application, but he shall be liable to the Minister for all expenses connected with the making of such inspection or the performance of such other services by such inspector.

7. Any inspector may, by notice in writing signed by him, require the attendance before him at a time and place to be mentioned in such notice of any person, and may examine the person so notified on oath regarding any matter connected with the inspection or operation of any boiler or any accident thereto; such person so summoned shall be entitled to the same witness fees as he would be entitled to on a small debt case in the courts of the province, unless the inspector shall otherwise order.

(2) Any person wilfully neglecting or refusing in any way to comply with the notice of the inspector, or to make oath, or be examined as aforesaid, shall be guilty of an offence and liable on summary conviction thereof to a fine of not less than \$25.00 and not more than \$50.00, and on nonpayment of such fine forthwith after conviction to imprisonment for one month.

(3) Any person so examined shall not be excused from answering any question upon the ground that the answer may tend to criminate him, or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person, or to a prosecution under any Act of, or Ordinance in force in Alberta.

(4) Provided, however, that any evidence so given shall not be used or received in evidence against such person in any criminal or civil proceeding hereinafter instituted against him other than a prosecution for perjury in giving such evidence.

8. Every inspector shall render annually, on or before the thirty-first day of January in each year, a concise report to the Minister of all inspections made by him during the preceding year, and of all accidents and casualties that may have occurred in connection with the operation of boilers within his district.

Annual
report

9. If at any time the inspector discovers any defect in any boiler under pressure, which in the opinion of such inspector may cause immediate danger, he shall order the engineer to draw the fire and blow off the steam, and the engineer shall forthwith obey such instructions.

Engineer to
relieve
boiler of
pressure if
pronounced
dangerous

(2) Every engineer shall assist the inspector in making his examination of any boiler or boilers in his charge, and shall point out to him any defects that he may know or believe to exist in said boiler or boilers, and in default thereof the inspector may take possession of the certificate of such engineer, and forward it to the Minister, together with a report on the circumstances of the case.

Engineers
to assist
inspectors

10. An inspection certificate shall not be granted for any new boiler which does not conform to the regulations.

Boilers
entering the
province

11. Except as hereinafter provided, no second-hand boiler that has been in service shall be brought into the province and operated as a boiler.

Second-hand
boilers

(2) The owner of a second-hand boiler, or a boiler that has been in service outside the province, who wishes to operate same within the province, shall apply to the department for permission so to do, giving a complete description of the boiler and stating the exact location at which it is proposed that such boiler shall be operated; the department may thereupon cause the boiler to be inspected, and upon the issue of an inspection certificate stating that said boiler has been equipped with fittings and installed according to the regulations, the same may be operated; provided that the maximum working pressure to be allowed in any such case shall be computed by the formula contained in the regulations, with such further reduction as the inspector may direct.

(3) Any person violating the provisions of this section shall be guilty of an offence and liable on summary conviction thereof, to a penalty of not less than \$25.00, and not more than \$50.00.

12. Every manufacturer of any boiler to be built under the regulations shall, before commencing work on such boiler, submit to the department for approval, accompanied by the fees required by the regulations, complete working shop drawings in triplicate of the proposed boiler, together with completed specifications in duplicate.

Registration
of boiler and
necessary
designs

(2) Every manufacturer of boiler accessories for boilers built under the regulations, shall submit to the department for approval, accompanied by the fees, working shop drawings in triplicate of the safety valves, stop valves, water gauges, gauge cocks, pressure gauges, blow-off valves and other fittings connected immediately to the boiler.

(3) Any person who sells or otherwise disposes of a boiler not built to approved designs, or that does not conform to the regulations (provided an inspection certificate has not already been issued for such boiler), or a boiler fitting which has not been made according to an approved design shall be deemed guilty of a breach of this Act.

(4) When any change is intended to be made in any approved drawings or specifications by the manufacturer or manufacturers, he or they shall immediately notify the department, and submit revised drawings and specifications accordingly.

13. When any new boiler is shipped into the province, the manufacturer shall immediately mail to the purchaser, for the use of the inspector at his initial inspection, a copy of the approved specifications on forms prepared by the department and containing the shop foreman's affidavit, certifying that the boiler has been built according to the regulations, and according to the approved drawings and specifications, that a hydrostatic test has been applied (in the ratio required by the regulations), that the steam gauge is correct, and that the safety valve has been tested and is properly set to the working steam pressure of the boiler as rated by the department.

14. Any inspector may, at any reasonable hour, enter upon any property for the purpose of inspecting any boiler situated thereon, or for the purpose of ascertaining whether the provisions of this Act are being complied with, and also shall have the right at any reasonable hour to examine boilers in course of construction or undergoing repairs.

15. Any person interfering with or obstructing any inspector in the performance of his duties under this Act, shall be guilty of an offence and liable on summary conviction to a penalty of not less than \$50.00 and not more than \$100.00.

16. Any agent, or other person who sells or exchanges a boiler shall within thirty days after such sale or exchange, notify the Minister in writing by registered mail of such sale or exchange, stating the name and address of the person to whom such boiler has been sold or exchanged, and shall, if such boiler has been inspected by an inspector, from and after the first day of January, 1912, state the number stamped on such boiler at such inspection by the inspector.

(2) No person shall sell or exchange any boiler which has been in use for more than two seasons for subsequent use as a boiler unless it is accompanied by an inspection certificate issued within one year next preceding the date of such sale or exchange.

(3) Nothing contained in the foregoing subsection shall affect any arrangement that may be made between a manufacturer and a purchaser in respect of an exchange of an old boiler in part payment for a new one, or the subsequent sale of such boiler after the same has been rebuilt, or the retaking possession of a boiler under a lien and the subsequent sale thereof.

GENERAL PROVISIONS.

17. If, upon inspection, the inspector finds the boiler to be in safe working order, and properly set up, with fittings as prescribed by the regulations, he shall issue to the owner thereof an inspection certificate stating the maximum pressure at which the boiler may be operated, as ascertained by the regulations, and thereupon the boiler mentioned in the certificate may be

operated. Such certificate shall continue in force for one year from the date of inspection, or for such shorter period as the inspector may direct.

(2) Any owner or other person operating any boiler before a certificate therefor has been granted, or after same has expired, shall be guilty of an offence and liable on summary conviction thereof to a penalty of not less than \$50.00 and not more than \$250.00.

18. Every person who makes, or procures to be made, or assists in making, any false representation regarding the condition of any boiler in the form of an inspection certificate, or who forges, assists in forging, or procures to be forged, or fraudulently alters, or assists in fraudulently altering, or procures to be fraudulently altered, any such inspection certificate, or any official copy of any such inspection certificate, or who fraudulently makes use of any such inspection certificate which is forged, altered, cancelled, suspended, or to which he is not justly entitled, or who fraudulently lends his inspection certificate to, or allows any other person to use the same in connection with any other boiler than that covered by such inspection certificate, shall be guilty of an offence, and liable upon summary conviction thereof to a penalty of not less than \$50.00, or three months imprisonment; and any owner or other person holding such inspection certificate who fails to deliver up an inspection certificate which has been cancelled or suspended shall be deemed guilty of a breach of this Act, and liable upon summary conviction thereof to a penalty of not less than \$50.00 and not more than \$100.00.

(2) The inspection certificate shall be placed so as to be easily read, in a conspicuous place in the boiler room, or engine room of every stationary boiler, and shall be produced at any time by the owner or operator of any traction or portable boiler upon demand of an inspector or upon demand of a member of any police force. Any owner refusing or neglecting to post up or produce the inspection certificate shall be guilty of an offence and liable upon summary conviction thereof to a penalty of not less than \$10.00 and not more than \$25.00.

(3) Any owner who operates or causes to be operated a boiler without being in possession of an inspection certificate, or without notifying an inspector or the Minister of his intention so to operate, by registered letter, shall be guilty of an offence and liable upon summary conviction thereof to a penalty of not less than \$25.00 and not more than \$100.00.

19. The owner or operator of any boiler shall allow the inspector free access to the same, shall furnish the labour necessary for the inspection thereof, shall fill the boiler to permit all hydrostatic tests being made, shall, if required by the inspector, remove any jacket or covering from the boiler, and shall also bring to the attention of the inspector any defect which he knows or believes to exist in the boiler.

(2) The owner of the boiler which the inspector desires to inspect internally or externally shall cause it to be opened for inspection, scraped free from scale, the manhole and hand-hole plates thereof removed, and the flues therein cleaned and all soot or ashes removed from the inside and outside of setting therein. In the case of a traction or portable boiler the owner or person in charge shall cause the furnace grates and straw burners, firebox and all heating surfaces to be thoroughly cleaned.

Penalty for
forging
exchanging
or altering
inspection
certificate

Inspection
certificate
to be
exhibited
or produced

Operating
without
inspection
certificate

Owner to
prepare
boiler for
inspection

20. In order to satisfy himself as to the thickness of plate or its internal condition, the inspector may cut holes or may order holes to be cut in the same, and in the latter case the owner shall forthwith see that such orders are complied with.

Inspectors
may drill
holes

(2) Any person violating any of the provisions of sections 19 or 20 hereof shall be guilty of an offence, and liable upon summary conviction thereof to a penalty of not less than \$25.00 and not more than \$100.00.

Penalty

21. Any owner or other person in charge of a boiler failing to carry out the written instructions of an inspector for the safe operation and care of a boiler, including his instructions for washing out and cleaning the interior, shall be guilty of a breach of this Act.

Failure to
carry out
inspectors'
instructions

(2) Any such owner or other person in charge of a boiler may within thirty days from the receipt thereof appeal to the Minister from such written instruction of an inspector; the decision of the Minister shall be final and pending his decision such owner or other person in charge of a boiler shall carry out such written instructions.

22. A report of an explosion of any boiler shall be sent by the owner of such boiler within twenty-four hours after the explosion to the Minister; such report shall state the exact place at which the explosion occurred, the number of persons killed or injured, and the probable cause of the explosion.

In case of
explosion

(2) After the explosion of any such boiler no part or parts of the same shall be removed or their positions altered by any person, except to rescue persons injured, or to remove the bodies of persons killed, without the written permission of the Minister.

(3) Any person violating any of the provisions of this section shall be guilty of an offence and liable on summary conviction thereof to a fine of not less than \$100.00 and not more than \$200.00, or to imprisonment for a term not exceeding three months.

23. On receipt of any report mentioned in the preceding section, the Minister shall cause a full investigation to be made as to the cause and circumstances of such explosion; said investigation shall be held at or near the place where such explosion occurred.

Investiga-
tion of an
explosion

24. If any loss or damage is incurred or sustained by any person by reason of the explosion of a boiler, for which the owner has not obtained an inspection certificate, the onus of proof that such loss or damage did not arise through the negligence or improper conduct of the owner or person in charge of such boiler shall be upon the owner of such boiler.

For explo-
sion of
uncertifi-
cated
boilers,
owners
prima facie
guilty of
negligence

25. An appeal shall lie from any ruling or decision of an inspector to the Minister, whose decision shall be final.

Appeal from
decision of
inspector

(2) On the hearing of any appeal it shall be lawful for the minister, if he thinks fit, to summon to his assistance any expert engineer.

Minister to
summon ex-
pert advice

26. Any charge or neglect of duty or other complaint against the inspector shall be addressed to the Minister, and shall state fully the particulars of such charge or complaint.

Charge
against
inspector
to be in
writing

27. Any owner or other person in charge who refuses or neglects to station a man to guard against steam being turned into a boiler which it is possible to connect with another boiler containing steam, during the period that any person is inside

Precaution
to be taken
while work-
ing in a
boiler

such first mentioned boiler, shall be guilty of an offence, and liable upon summary conviction thereof to a penalty of not less than \$50.00 and not more than \$100.00.

BOILER FITTINGS.

28. No person shall operate boilers not previously inspected by an inspector in this province unless equipped with fittings as provided in the regulations.

Boiler fittings

29. Any person removing, destroying or in any way tampering with the sealing device of any safety valve after it has been sealed by an inspector, or changing a safety valve without permission of an inspector, shall be guilty of an offence and liable upon summary conviction thereof to a penalty of not less than \$50.00 nor more than \$100.00.

Tampering with safety valves

30. It shall be the duty of the engineer in charge to blow, or cause the safety valve to blow off steam, at least once each day, to satisfy himself that the valves are in good order, and it shall be his duty to report to the inspector any failure of such valves to operate; in case no such report is made, and a safety valve is found to have been tampered with, or out of order, the certificate of the engineer having such boiler in charge shall be suspended or cancelled by the Minister.

Testing of safety valve each day

31. Any person who alters or otherwise tampers with the pressure gauge, so as to prevent the actual pressure of the boiler from being easily seen and ascertained, shall be guilty of an offence and liable on summary conviction thereof to a penalty of not less than \$10.00 and not more than \$50.00.

Penalty for interfering with pressure gauge

INSPECTION FEES.

32. The owner of every boiler in the province under the provisions of this Act shall pay a fee of \$5.00 for each and every boiler inspected.

Inspection fees

(2) In the case of an inspection of any vessel carrying a steam pressure of less than twenty pounds, used for heating water for domestic purposes or generating steam solely for heating buildings, the fee payable to the inspector by the owner for such inspection and the issue of such certificate shall be \$2.00.

Heating boilers

(3) Any owner neglecting or refusing to pay the inspector such fee shall be guilty of a breach of this Act.

ENGINEERS AND FIREMEN.

33. Any person not holding a final, interim or provisional certificate of qualification as an engineer, or a fireman of a heating plant, or a permit as hereinafter provided, who at any time operates any steam boiler governed by this Act, or is in charge of any steam boiler while in operation, whether as owner or engineer, or any engineer is in charge of and operates a boiler or boilers, or steam plant of a different or a higher class than is authorized by the certificate held by any such engineer, or fails to produce the certificate upon demand by an inspector or member of any police force, shall be guilty of an offence and liable on summary conviction thereof to a penalty of not less than \$50.00 nor more than \$100.00.

Operating boilers without certificate

(2) Provided that where the representative of any manufacturer of boilers or engines is employed installing, testing, regulating, or otherwise superintending the installation or operation of such boilers or engines, he may do so upon applying for and receiving written authority from the Minister or an inspector.

Special authority during installations

34. If any owner of a steam boiler shows to the satisfaction of the Minister or an inspector that he is unable by reason of some unforeseen occurrence to immediately secure the services of a duly qualified person to operate such boiler, the Minister or inspector may grant a permit to any person producing satisfactory evidence of good conduct and sobriety to operate such boiler for a period of thirty days from the date of such permit.

35. The employer of any person operating a boiler who has not a certificate, or permit as required by this Act, or who fails to produce such certificate upon demand by an inspector, or a member of any police force, shall be deemed guilty of an offence and liable on summary conviction thereof to a penalty of not less than \$50.00 and not more than \$150.00.

(2) The certificate of any engineer in charge of an engine room or boiler room shall be exposed in a conspicuous place in such room.

(3) Any engineer who refuses or neglects to expose or produce his certificate shall be guilty of an offence and liable on summary conviction thereof to a penalty of not less than \$50.00 and not more than \$150.00.

(4) The absence of such certificate or its nonproduction upon demand shall be *prima facie* evidence that the person operating the engine or boiler has no certificate.

36. Certificates will be granted upon examination according to qualifications of the applicant as follows:

1. First class: To have charge of and operate any steam plant.

2. Second class: To have charge of and operate a boiler or boilers of a total capacity not exceeding 500 horse power, and to have charge of and operate an engine or engines of a total capacity not exceeding 500 horse power, or to operate any other plant under an engineer holding a first-class certificate in direct charge of the plant.

3. Third class: To have charge of and operate a boiler or boilers of a total capacity not exceeding 200 horse power, and to have charge of and operate an engine or engines of a total capacity not exceeding 200 horse power (unless such certificate is otherwise limited) or to operate a boiler or boilers of a total capacity not exceeding 500 horse power under an engineer holding at least a second class certificate.

4. Traction engineer's final certificate: To have charge of and operate a traction engine and boiler only.

5. Provisional certificate: To have charge of and operate a boiler and engine of a capacity not to exceed 50 horse power, for a period of one year.

6. Second provisional certificate: To have charge of and operate a boiler and engine of a capacity not to exceed 50 horse power, for a period of one year. This certificate may be granted to those candidates who have failed for a final certificate, as hereinafter mentioned.

7. Final fireman's certificate: To have charge of and operate a heating boiler only, carrying a steam pressure of not more than 100 pounds.

8. Provided the experience of an applicant for a certificate is limited to a steam shovel, or a hoisting or a portable boiler and engine only, a third-class, or provisional certificate may be issued to suit the case, said certificate being endorsed accordingly upon the face thereof.

Permits

Employing
uncertified
personsCertificates
to be
exposedNonproduc-
tion of
certificateClassifica-
tion of
certificates

37. Engineer's final certificates issued under *The Steam Boilers Ordinance* of the North-West Territories shall entitle the holders thereof to operate in the Province of Alberta: provided that the holders of second and third-class certificates issued under the said Ordinance shall not operate boilers of a larger capacity than the boilers which, under this Act may be operated by the holders of second and third-class certificates respectively issued under the provisions of this Act.

North-West
Territories
certificates

38. A candidate for a first-class certificate shall be at least twenty-five years of age, shall furnish proof that he has been employed as a machinist or boiler-maker, on the repairing or building of steam engines or boilers, for a period of not less than twenty-four months, and has had charge of a steam plant in which he operated a battery of boilers aggregating not less than three hundred horse power in capacity, and that he has operated engines aggregating not less than three hundred horse power in capacity, for a period of at least twelve months.

Qualifica-
tions for
first-class
certificates

(2) A candidate for a second-class certificate shall be at least twenty-two years of age, and shall furnish proof that he has served four years in charge of and operated a boiler or boilers, and had charge of and operated an engine or engines, of not less than fifty horse power or that he has served twenty-four months in a workshop employed in the manufacture of engines or boilers, and has served as engineer of a steam plant of not less than seventy-five horse power for a period of at least twenty-four months.

Qualifica-
tions for
second-class
certificates

(3) A candidate for a third-class certificate shall be at least twenty years of age, shall furnish proof that he has served as fireman of a boiler or boilers, for a period of twelve months; has had charge of and operated a boiler or boilers, and has had charge of and operated an engine or engines for a further period of twelve months, or that he has served twelve months in a workshop employed on the manufacture or repairing of engines or boilers, and as fireman of a steam boiler for a further period of twelve months.

Qualifica-
tions for
third-class
certificates

39. The final certificate, known as traction engineer's final certificate, will be granted to traction engineers upon satisfactorily passing a combined written and oral examination before an inspector; this certificate will be termed "traction engineer's final certificate," and will be valid to operate traction boilers and engines only.

Qualifica-
tions for
traction
engineer's
final
certificates

40. Upon the applicant for a final certificate of qualification as an engineer completing the examination set by the inspector but before the results thereof are announced, the inspector may issue to such candidate an interim certificate of the class to which he would be entitled upon passing such examination, which certificate shall entitle the holder to operate as an engineer of the class therein specified, for a limited period to be specified in the certificate; such period shall in no case exceed thirty days.

Interim
certificate

41. A final fireman's certificate for operating a heating boiler only, in which over twenty pounds and not more than one hundred pounds of steam is carried, shall be granted upon the applicant passing a written and oral examination such as is laid down by the department; such applicant for a fireman's certificate for a heating boiler shall be required to produce satisfactory and conclusive evidence of at least six months' experience as an engineer or fireman of a steam boiler.

Qualifica-
tions for
fireman of
heating
plant's
certificate

42. Any person who has had over twelve months' experience as an engineer or fireman outside the province, or any person who has served for twelve months in the province as fireman to the holder or holders of a final engineer's certificate, may apply to the Minister or an inspector for a provisional certificate of qualification for operation of boilers or engines not having a capacity of more than fifty horse power, and the Minister, or such inspector, upon being satisfied that the applicant is a person of sufficient experience to justify the same, may cause the applicant to be orally examined by an inspector, and upon such applicant passing such examination satisfactorily, he may be granted such provisional certificate, valid for a period of one year from the date of issue thereof.

Qualifications for provisional certificate

(2) Such provisional certificate may be renewed for a further period of one year, but no longer, and the applicant for such renewal may be required to pass an oral examination satisfactory to an inspector.

Renewal of provisional certificates

43. The Minister may, upon the recommendation of an inspector, grant a second provisional certificate, valid for a period of one year from its date, to any person who has submitted to an examination in accordance with the provisions of this Act, but has failed to receive from such inspector a recommendation for a final certificate of qualification, but no further or other provisional certificate shall be granted, unless such person is recommended for same by the inspector.

Second provisional certificates

(2) The holder of a provisional certificate, or anyone who in the opinion of an inspector has had sufficient or extensive experience in operating boilers and engines as to justify the same, may be granted a final certificate of qualification as an engineer, or fireman of a heating plant, upon passing such an examination which shall be conducted in accordance with such regulations as may from time to time be prescribed by the Minister, and the Minister shall determine the qualifications requisite for the candidates for the several classes of certificates, and shall prescribe the fees to be paid for such examination, and for the issue of certificates to the successful candidates.

Application for and issue of a final certificate

44. The inspector shall determine the class of examination which the applicant shall undergo, whether for first, second or third-class certificate, and after such examination, if found competent, the applicant shall receive a certificate graded according to the merits of his examination, irrespective of the grade of certificate for which he applied.

Inspector to determine class written for

(2) Any candidate failing to pass the required examination for first or second-class certificates shall not be allowed to present himself for further examination for a period of one year, during which term he must operate as an engineer, and upon further application show satisfactory evidence of additional experience.

Twelve months to lapse after failure to pass examination

45. Any person who holds a certificate of qualification as an engineer for operating boilers and engines, granted under the provisions of any Act of the Parliament of Great Britain and Ireland, or of the Dominion of Canada, or of any province therein, or of any other part of His Majesty's dominions, may, upon making application to the Minister, accompanied by such evidence of qualification as may be required by the Minister, and upon satisfactorily passing an examination before an inspector if deemed necessary by the Minister, obtain a certificate of qualification as an engineer in the class determined by the Minister.

Certificate may be granted in lieu

46. Every person who makes, or procures to be made, or ^{False} assists in making, any false representation for the purpose of ^{representa-} obtaining for himself or for any other person, a certificate of ^{tions and} competency or service, or who forges, or assists in forging, or procures to be forged, or fraudulently alters, or assists in fraudulently altering, or procures to be fraudulently altered, any such certificate, or any official copy of any such certificate, or who fraudulently makes use of any such certificate which is forged, altered, cancelled, suspended, or to which he is not justly entitled, or who fraudulently lends his certificate to, or allows the same to be used by any other person, shall for such offence be deemed guilty of an offence, and shall be liable upon summary conviction thereof to a penalty of not less than \$50.00 and not more than \$100.00, and any engineer who fails to deliver up a certificate which has been cancelled or suspended shall be liable to a penalty of not less than \$25.00 and not more than \$100.00.

(2) Any person other than the holder thereof becoming possessed of a certificate shall transmit it forthwith to the department.

47. If a candidate for a final certificate should be unable ^{Provision} to write, he may employ some person to write the examination ^{for} therefor from his dictation; such person shall not be an engineer, ^{amanuensis} and shall, before performing any duties under the provisions of this section, subscribe before an inspector the following oath:

"I, A.B., of the.....in the Province of Alberta,.....swear: That I will truly, faithfully and accurately without alteration or interlineation of any kind, transcribe the answers dictated to me by C.D. (here insert the name of candidate) a candidate for a final certificate, under the provisions of *The Boilers Act*. So help me God."

(2) If such candidate should be unable to speak the English language, he may employ some person as interpreter; such person shall not be an engineer, and shall, before performing any duties under the provisions of this section, subscribe before an inspector the following oath:

"I, A.B., of the.....in the Province of Alberta,.....swear: That I shall truly and faithfully interpret the questions and the answers given on the examination of C.D. (here insert the name of candidate), a candidate for a final certificate under the provisions of *The Boilers Act*, and all other matters connected therewith, and the Italian (or German, or as the case may be) language into the English language, and the English language into the Italian (or German, or as the case may be) language, according to the best of my skill and ability. So help me God."

48. Any candidate may appeal in writing to the Minister ^{Appeal from} from the decision of the inspector in regard to any examination, ^{decision of} and the decision of the Minister in regard to such examination ^{inspector} shall be final.

49. If an inspector should find an engineer, or fireman of a ^{Inspector} heating plant, violating any of the provisions of this Act, or in ^{may} any way negligently operating a steam plant in his charge, or ^{suspend} under the influence of liquor while on duty, he may take possession of such engineer's or fireman's certificate, and remit the same to the department together with a full report of the circumstances of the case. ^{certificate}

(2) The Minister may, upon due cause being shown, cancel or suspend any certificate issued under the provisions of this Act, and any person whose certificate is so cancelled or suspended shall be deemed guilty of a breach of this Act, and liable to the penalties hereinafter imposed.

50. If any owner believes that his boiler or engine has been damaged through the negligence of the engineer in charge, he shall immediately report such negligence to an inspector, verifying the facts contained in such report by a statutory declaration.

(2) Such inspector shall thereupon immediately investigate the charge and may, if he deem proper, demand and obtain from such engineer in charge, his certificate, and shall immediately forward a report of any investigation made under the provisions of this section to the Minister, together with the certificate, if any, which he has ordered to be delivered up by the engineer in charge; the Minister may thereupon order such certificate to be returned to such engineer, suspend the operation of said certificate for such period as he may deem just, or cancel such certificate.

(3) Any engineer in charge refusing to deliver up his certificate when same is demanded by an inspector under the provisions of this section shall be deemed guilty of a violation of this Act.

51. The fees for the issue of a permit under section 34 hereof, by an applicant for examination under section 36 or by applicant for a certificate under sections 42 or 45 respectively shall be as follows:

First-class certificate.....	\$10.00
Second-class certificate.....	5.00
Third-class certificate.....	5.00
Final traction certificate.....	5.00
Final fireman's certificate.....	2.50
Second provisional certificate.....	5.00
Provisional certificate.....	5.00
Renewal of provisional certificate.....	2.50
Permit.....	5.00

(2) All fees payable under this Act shall be paid into general revenue fund.

52. If a certificate is lost or destroyed, a duplicate may be issued upon satisfactory proof to the department, and upon receipt of the fee authorized by this Act, for the issue of an original certificate of the same class.

53. The owner of a plant where there is a battery of boilers of a capacity exceeding five hundred horse power and where such battery of boilers is contained in a building separate from the rest of the plant shall in addition to such engineers as he is otherwise required to employ under the provisions of this Act, employ engineers holding at least second class certificates in charge of such battery of boilers on both day and night shifts.

54. No engineer or fireman of a heating plant shall absent himself from duty in connection therewith for more than ten minutes at a time while the plant is in operation.

55. The Minister may from time to time make such regulations and prescribe such forms as may be deemed necessary for the proper carrying into effect of the provisions of this Act, and such regulations shall have the same force and effect as if they were included in this Act and herein enacted.

Regulations

56. Any person guilty of a breach of any of the provisions of this Act, or any regulations made thereunder, for which no penalty is herein specified, shall on summary conviction thereof be liable to a penalty not exceeding \$50.00 and not more than \$100.00.

Penalties

57. All fees and penalties mentioned in this Act may be recovered and enforced with costs on summary conviction before a justice of the peace.

Recovery
of fees and
penalties

58. *The Steam Boilers Act*, being chapter 23 of the Statutes of Alberta, 1906, and all amendments thereto, are hereby repealed.

Repeal

No. 20

THIRD SESSION

SECOND LEGISLATURE

2 GEORGE V

1911

BILL

An Act respecting the Operation and
Inspection of Boilers.

Received and read the

First time

Second time

Third time

HON. A. L. SIFTON

EDMONTON:
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A.D. 1911