

2004 Bill 201

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Fourth Session, 25th Legislature, 53 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 201**

**SAFETY CODES (BARRIER-FREE DESIGN  
AND ACCESS) AMENDMENT ACT, 2004**

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MR. LOUGHEED

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 201*  
*Mr. Lougheed*

## **BILL 201**

2004

### **SAFETY CODES (BARRIER-FREE DESIGN AND ACCESS) AMENDMENT ACT, 2004**

*(Assented to* , 2004)

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

#### **Amends RSA 2000 cS-1**

**1 The *Safety Codes Act* is amended by this Act.**

**2 Section 2 is amended by adding the following after  
subsection (2):**

**(2.1)** This Act is to be applied in a manner consistent with the principles of barrier-free design and access to allow persons with physical and sensory disabilities to access and use buildings and facilities to which this Act applies.

**3 Section 4 is amended by renumbering it as 4(1) and by adding the following after subsection (1):**

(2) The Minister shall, in accordance with this Act, co-ordinate and encourage the principles of barrier-free design and access for any thing, process or activity to which this Act applies.

**4 Section 16 is amended**

- (a) in subsection (3) by adding “barrier-free building design,” after “buildings,”;**
- (b) in subsection (4) by striking out “and labour” and substituting “, labour and persons with disabilities”.**

**5 Section 18 is amended**

- (a) by adding the following after clause (e):**
  - (e.1) may promote the principles of barrier-free design and access for any thing, process or activity to which this Act applies,
- (b) in clause (f) by adding “or barrier-free design and access” after “safety”;**
- (c) in clause (h) by striking out “and safety standards” and substituting “, safety standards and barrier-free design and access”;**
- (d) in clause (i) by adding “barrier-free design and access information,” after “safety information,”.**

**6 Section 65 is amended**

- (a) in subsection (1) by adding the following after clause (e):**
  - (e.1) governing barrier-free design and access;
  - (e.2) defining for the purposes of this Act principles of barrier-free design and access;
- (b) in subsection (2) by adding the following after clause (g):**
  - (g.1) barrier-free design and access,





**7 This Act comes into force on June 1, 2004.**

## Explanatory Notes

**1** Amends chapter S-1 of the Revised Statutes of Alberta 2000.

**2** Section 2 presently reads:

*2(1) This Act applies to fire protection and applies to the design, manufacture, construction, installation, operation and maintenance of*

- (a) buildings,*
- (b) electrical systems,*
- (c) elevating devices,*
- (d) gas systems,*
- (e) plumbing and private sewage disposal systems, and*
- (f) pressure equipment.*

*(2) The Minister may, by order, exempt any person or municipality or any thing, process or activity from any or all provisions of this Act and attach terms and conditions to the exemption.*

*(3) An order under this section may be made to apply generally or specifically and to apply to all or a particular area of Alberta.*

**3** Section 4 presently reads:

*4 The Minister shall, in accordance with this Act, co-ordinate and encourage the safe management and control of any thing, process or activity to which this Act applies.*

**4** Section 16 presently reads in part:

*(3) Among the persons appointed to the Council the Minister and the Committee shall include persons who are experts in fire protection, buildings, electrical systems, elevating devices, gas systems, plumbing systems, private sewage disposal systems or pressure equipment.*

*(4) The Minister and the Committee shall ensure that representatives of municipalities, business and labour are appointed to the Council from among the persons described in subsection (3).*

**5** Section 18 presently reads in part:

*18 The Council*

- (e) may promote uniformity of safety standards for any thing, process or activity to which this Act applies,*
- (f) may provide a liaison between the Minister and any person or organization interested in safety matters governed by this Act,*
- (h) may, with the consent of the Minister, review and formulate codes and standards for accreditation and safety standards for any thing, process or activity to which this Act applies and promulgate those codes and standards, and*
- (i) may recommend to the Minister that it undertake to provide the Minister with advice on safety information, education programs and services, accreditation and other matters related to this Act and may, with the consent of the Minister, provide that advice.*

**6** Section 65 presently reads:

*65(1) The Lieutenant Governor in Council may make regulations*

- (a) governing fire protection and the safe design, manufacture, construction, sale, installation, use, operation, occupancy and maintenance of*
  - (i) buildings,*
  - (ii) electrical systems,*



- (iii) *elevating devices,*
  - (iv) *gas systems,*
  - (v) *plumbing or private sewage disposal systems,*
  - (vi) *pressure equipment, and*
  - (vii) *fire protection systems and equipment;*
- (b) *respecting designs that require stamps or seals affixed by persons licensed or registered under the Architects Act or the Engineering, Geological and Geophysical Professions Act or any other enactment governing a profession or occupation;*
- (c) *respecting exclusions from the definitions of*
- (i) *building,*
  - (ii) *gas,*
  - (iii) *electrical system,*
  - (iv) *gas system, and*
  - (v) *plumbing system,*
- for the purposes of this Act;*
- (d) *respecting the designation of any thing as an elevating device;*
- (e) *defining for the purposes of this Act fittings, boilers, pressure vessels and pressure piping systems;*
- (f) *governing the qualifications and the evaluation of the qualifications of safety codes officers and applicants for and holders of permits and certificates of competency;*
- (g) *designating things, processes or activities with respect to which a certificate of competency or permit is required and establishing the classifications of certificates of competency and permits;*
- (h) *governing the issuance, display, making available, suspension, renewal and cancellation of permits and certificates of competency;*
- (i) *governing the provision of identification of safety codes officers and the use of the identification;*
- (i.1) *respecting the investment of money for the purpose of section 21(3);*

- (j) *respecting forms for the purposes of this Act;*
  - (k) *governing the information system and the release of information under section 63;*
  - (l) *governing orders and the service of orders and notices;*
  - (m) *governing the preparation, submission and retention of reports and information and the reporting of unsafe conditions, accidents and fires;*
  - (n) *governing designs;*
  - (o) *governing quality management systems;*
  - (p) *governing accredited municipalities, accredited regional services commissions, accredited corporations and accredited agencies.*
- (2) *If a code, standard or body of rules relating to*
- (a) *fire protection,*
  - (b) *buildings,*
  - (c) *electrical systems,*
  - (d) *elevating devices,*
  - (e) *gas systems,*
  - (f) *plumbing or private sewage disposal systems,*
  - (g) *pressure equipment,*
  - (h) *classifications of and qualifications for certificates of competency,*
  - (i) *quality management systems, or*
  - (j) *accredited municipalities, accredited regional services commissions, accredited corporations or accredited agencies,*

*has been published by the Council or any association or person and copies are available, the Lieutenant Governor in Council may, in addition to or instead of any regulation the Lieutenant Governor in Council may make under subsection (1), by regulation declare the code, standards or rules to be in force either in whole or in part or with any variations that the Lieutenant Governor in Council specifies.*

*(3) The Minister shall ensure that the Council has the opportunity to review a proposed regulation for a period of 90 days prior to the*

*regulation's being made unless the Council has waived or reduced the period of time.*

*(4) Regulations under this section may apply generally or specifically and may provide for which provision of which regulation prevails in the case of a conflict between the regulations.*

**7** Coming into force.