

Bill No. 17 of 1937.

A BILL TO AMEND THE BOILERS ACT, 1929.

NOTE.

Section 2 of the Bill amends the definition section of the Act by extending the definition of "Boiler", providing new definitions of "Heat Exchanger", "Horsepower", "Liquid Receiver", "Oil Still", "Pressure Vessel", "Refrigerating Plant" and "Steam Processor", and by making a number of changes of a minor nature.

By section 3 of the Bill the application of this Act is extended.

Sections 4 and 6 provide for the annual registration of pressure vessels and for renewal or registration of any previous registration upon the payment of fees fixed by order in council.

Section 5 provides for the appointment of a Chief Inspector, inspectors and assistant inspectors; and prescribes the qualifications in the case of assistant inspectors.

Section 8 makes new provision for the payment of expenses incurred where an inspector of a boiler or pressure vessel cannot be made at the appointed time for any cause which is within the control of the owner or the engineer in charge.

By section 10 the chief engineer of every steam plant is held responsible for any interference with valves, gauges and appliances required to be kept on a pressure vessel; and provides a penalty for any such interference.

By section 12 special provision is made for hoisting engines; defines what the holder of a final certificate may do for his employer in connection with a refrigerating plant; and provides that prosecutions shall be commenced only by an inspector or with the consent of the chief inspector.

Section 14 makes provision for temporary certificates.

Section 15 makes provision for certificates of engineers and firemen, the annual re-registration of certificates, the posting up of certificates, and the re-examination of the holders of certificates who have not been actively engaged for five years as engineers or firemen.

Section 16 makes provision for re-registration of welders' certificates.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 17 of 1937.

An Act to amend The Boilers Act, 1929.

(Assented to _____, 1937.)

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

1. This Act may be cited as "*The Boilers Act, 1929, Amendment Act, 1937.*"

2. *The Boilers Act, 1929*, being chapter 31 of the Statutes of Alberta, 1929, is hereby amended as to section 2 thereof,—

- (a) by striking out the words "any boiler" where the same occur in paragraph (b) thereof and by substituting therefor the words "any vessel"; and by adding after the words "two horse-power" where the same occur therein the words "or three cubic feet";
- (b) by adding after the word "fireman" in paragraph (c) thereof the words "or welder";
- (c) by striking out the words "in which more than one engineer is employed" where the same occur in paragraph (d) thereof;
- (d) by inserting therein immediately after paragraph (e) thereof, the following new paragraph:
 - "(e1) 'Heat Exchanger' shall mean a condenser, evaporator, liquid heater or brine cooler, when the pressure exceeds fifteen pounds to the square inch and having a heat transfer surface exceeding twenty square feet, but does not include a heat exchanger in a private residence occupied by not more than two families;"
- (e) by striking out paragraph (f) thereof and by substituting therefor the following:
 - "(f) 'Horse-power' shall mean the unit of capacity of a boiler, calculated at the rate of one horse-power for each ten square feet of the superficial heating surface of such boiler, or in case electric current is used as the heating element the maximum kilowatt capacity of such heating element divided by ten (10) shall be the total horse-power of such electric boiler, or in case a boiler has irregular shaped heating surfaces such as a cast iron sectional boiler, then each square foot of grate area shall be deemed equivalent to one and one-half horse-power;"

- (f) by inserting therein immediately after the words "any inspector" where the same occur in paragraph (h) the words "or Assistant Inspector";
- (g) by inserting therein immediately after paragraph (h) thereof the following new paragraph:
 "(h1) 'Liquid Receiver' shall mean any vessel in which a liquid refrigerant is stored under a pressure exceeding fifteen pounds to the square inch, and having a capacity exceeding one and one-half cubic feet;";
- (h) by striking out paragraph (k) thereof and by substituting therefor the following:
 "(k) 'Oil Still' shall mean an apparatus carrying a pressure exceeding fifteen pounds to the square inch for separating, evaporating, cracking, or refining oil, or any of the constituents thereof;";
- (i) by striking out paragraph (p) thereof and by substituting therefor the following:
 "(p) 'Pressure vessel' shall mean an air receiver, or a boiler, or an oil still or a heat exchanger or a liquid receiver or a steam processor;";
- (j) by striking out paragraph (q) thereof and by substituting therefor the following:
 "(q) 'Refrigerating plant' shall mean the complete installation of machinery, by which refrigerants are vapourized, compressed and liquified in their refrigerating cycle, which has a capacity of at least three tons as prescribed;";
- (k) by inserting therein immediately after paragraph (r) thereof the following new paragraph:
 "(r1) 'Steam Processor' shall mean any vessel having a capacity exceeding one and one-half cubic feet, when such vessel is used for the purpose of raising the temperature of any material placed therein by means of steam having a pressure exceeding fifteen pounds to the square inch;".

3. The said Act is further amended as to section 3 thereof by striking out the same and by substituting therefor the following:

"**3.** This Act shall apply to all steam plants, refrigerating plants having a capacity of three tons or over, and pressure vessels in the Province of Alberta, which are within, or subject to, the legislative power of the Province."

4. The said Act is further amended as to section 4 thereof,—

- (a) by inserting therein immediately after the word "renewal" where the same occurs in paragraph (c) thereof, the word "re-registration,";

- (b) by striking out the words "fixing the fees payable" where the same occur in paragraph (f) thereof and by substituting therefor the words "fixing the fees payable for any annual registration or".

5. The said Act is further amended as to section 6 thereof,—

- (a) by striking out subsection (1) thereof and by substituting therefor the following:

"6.—(1) The Lieutenant Governor in Council may appoint a chief inspector of boilers and machinery and may appoint inspectors and assistant inspectors of boilers and machinery and may fix his or their remuneration and may assign to any inspector a particular portion of the Province within which he may have jurisdiction under this Act, but no inspector shall inspect any steam plant the capacity of which is in excess of the capacity of his Engineer's certificate.";

- (b) by striking out paragraph (b) of subsection (2) thereof and by substituting therefor the following:

"(b) he has had at least five years' experience as a practical machinist or boiler-maker or as assistant inspector; and";

- (c) by adding at the end thereof the following new subsection:

"(3) No person shall be appointed as assistant inspector unless,—

"(a) he is a British subject; and

"(b) he has had at least five years' experience as a practical machinist or boiler-maker or holds a First Class Machinist's Certificate issued for an examination, approved by the chief inspector; and

"(c) he is the holder of a Second Class Engineer's Certificate or better; and

"(d) he is not interested directly or indirectly in the sale of pressure vessels or machinery or accessories thereof; and

"(e) he has passed a satisfactory examination before a Board of Examiners composed of inspectors or such other persons as the Minister may direct; and

"(f) he has passed a satisfactory medical examination to show that he is physically fit to carry out the duties of an assistant inspector of boilers and machinery."

6. The said Act is further amended by inserting therein immediately after section 6 the following new section:

"6a. The owner of every pressure vessel shall, before the first day of April of each year, register with the Department in such manner as may be prescribed by the Minister, each and every pressure vessel he expects to operate during

the ensuing year, and shall forward the prescribed fee for the registration of each pressure vessel.”

7. The said Act is further amended as to section 7 by adding at the end of subsection (1) thereof the following words: “or at any time during which the same is not registered in pursuance of this Act.”

8. The said Act is further amended as to section 8 by striking out subsection (2) thereof and by substituting therefor the following:

“(2) Where an inspector has arranged with the owner or engineer in charge, to make an inspection, and the steam boiler or pressure vessel is not ready when the inspector is in the vicinity, or if from any other cause for which the owner or engineer in charge can be held responsible, the inspector has to return to inspect the steam boiler or pressure vessel, the expenses incurred by the inspector in returning to inspect or complete the inspection, including a per diem charge to be fixed by the Minister, shall be paid by the owner of such boiler or pressure vessel, and if not paid the inspector shall refuse to issue a certificate, or to allow such steam boiler or pressure vessel to be operated until such expenses have been paid.

“(3) Any person contravening any of the provisions of this section shall be liable upon summary conviction to a penalty not exceeding two hundred and fifty dollars and costs and not less than fifty dollars and costs.

“(4) Any person being the owner of a pressure vessel who assigns duties or issues orders to an engineer or fireman that conflict with this Act, when the operation of such pressure vessel requires the supervision of a certificated engineer or fireman, shall be deemed guilty of an offence under this Act and upon summary conviction thereof shall be liable to a penalty of not less than two hundred and fifty dollars and costs and not more than five hundred dollars and costs.”

9. The said Act is further amended as to section 14 thereof by striking out subsection (1) and by substituting therefor the following:

“**14.**—(1) The inspection certificate shall be placed so as to be easily read in a conspicuous place adjacent to such pressure vessel to which the same relates and shall be produced at any time by the owner or operator of any locomotive, traction or portable boiler upon demand of an inspector or upon demand of a member of any police force.”

10. The said Act is further amended as to section 20 thereof by striking out the same and by substituting therefor the following:

“**20.**—(1) The chief engineer of every steam plant shall be held responsible for any interference with or rendering inoperative or doing away with any valve, gauge or appliance upon any pressure vessel which is by this Act or the

regulations thereto required to be a part of the equipment of any pressure vessel.

“(2) The chief engineer of every steam plant and any other person who alters or interferes with or renders inoperative any valve, gauge or appliance upon any pressure vessel, which is by this Act or the regulations thereto required to be a part of the equipment of any pressure vessel, shall be guilty of an offence and shall be subject to a penalty not exceeding two hundred and fifty dollars and costs and not less than ten dollars and costs.”

11. The said Act is further amended as to section 21 thereof,—

(a) by striking out the words “Every person being an engineer” where the same occur in subsection (1) thereof and by substituting therefor the words “Every engineer or person”;

(b) by striking out subsection (2) thereof and by substituting therefor the following:

“(2) Should an inspector find any serious defect when such defect has not been disclosed to the inspector by the chief engineer, the inspector may recommend to the Minister that such engineer’s certificate be suspended or cancelled.

“(3) Any person failing to comply with any of the provisions of this section shall upon summary conviction be liable to a penalty not exceeding fifty dollars and costs and not less than ten dollars and costs.”

12. The said Act is further amended as to section 23 thereof,—

(a) by striking out the words “tractor boiler” where the same occur in paragraph (f) thereof and by substituting therefor the words “tractor boiler or hoisting engine;”;

(b) by adding at the end of subsection (1) thereof the following new paragraph:

“(h) The holder of a final certificate under this Act may design, construct, install, operate and advise his employer in all things pertaining to the steam plant or refrigeration plant of which he is lawfully in charge pursuant to this Act.”;

(c) by striking out the words “but no prosecution for any such contravention shall be begun without the consent previously given by the Minister” where the same occur in subsection (2) thereof and by substituting therefor the words “but no prosecution for any such contravention shall be commenced or carried on unless the same is commenced by an inspector or with the consent of the chief inspector in writing first had and obtained.”

13. The said Act is further amended as to section 25 thereof,—

- (a) by adding at the end of subsection (2) thereof the following words "except in the case of a hoisting engineer who holds a special certificate to operate a hoisting engine up to a stated horse-power: a special hoisting engineer's certificate shall not authorize the holder thereof to have charge of engines or boilers up to the horse-power specified in such certificate.";
- (b) by striking out the words "but no prosecution for any such contravention shall be begun without the consent previously given of the Minister" where the same occur in subsection (4) thereof and by substituting therefor the words "but no prosecution for any such contravention shall be commenced or carried on unless the same is commenced by an inspector or with the consent of the chief inspector in writing first had and obtained."

14. The said Act is further amended as to section 26 thereof by striking out the same and by substituting therefor the following:

"**26.**—(1) Should an owner be unable to secure the services of the holder of a required certificate, he shall forward the prescribed fee, together with the prescribed form correctly filled out, to the Minister, who may, without examination, grant to any person recommended by the owner, any of the before mentioned certificates.

"(2) In a case where the chief engineer is sick or expects to be absent for a period exceeding forty-eight hours, such owner or chief engineer shall apply for a temporary certificate to be issued in favour of one of the shift engineers, and such temporary certificate may be issued by an inspector on receipt of one-half the prescribed fee, together with the prescribed form correctly filled out with section 4 deleted.

"(3) Any such certificate shall cease to be valid upon the expiry of three months from the date of issue, or such lesser period as may be stated therein, or upon the Chief Inspector certifying that the owner can secure the services of a suitable person who holds the required certificate."

15. The said Act is further amended as to section 28 thereof by striking out the same and by substituting therefor the following:

"**28.**—(1) The certificate of any engineer or fireman in charge of any engine or boiler shall be posted in a conspicuous place in the engine-room or boiler-room and shall be produced at any time by the operator of any locomotive, traction or portable boiler or hoisting engine, upon demand of any inspector or upon demand of a member of any police force.

"(2) Every engineer or fireman shall during the continuance of his certificate make application for re-registration on a form to be furnished by the Department, and remit

the prescribed fee together with the completed form to the Department before the first day of April in each year.

“(3) The chief inspector may require the holder of any certificate to undertake a further examination in case such holder has not been actively engaged as an engineer or fireman during the five years immediately preceding the coming into force of this Act or in case an engineer or fireman has not registered his certificate for a period of three consecutive years.

“(4) Every certificate of re-registration must be posted up along with the original certificate to which it refers.

“(5) Any engineer failing to post and keep posted his certificate or to produce the same as required by this section shall upon summary conviction be liable to a penalty not exceeding fifty dollars and costs and not less than ten dollars and costs.”

16. The said Act is further amended as to section 29 by striking out subsection (2) thereof and by substituting therefor the following:

“(2) Every registered welder shall, during the continuance of his certificate, make application for re-registration on a form to be furnished by the Department and shall remit the prescribed fee together with the completed form to the Department before the first day of April in each year.

“(3) The chief inspector may require the holder of any certificate to undertake a further examination, provided such holder has not been actively engaged in the welding of pressure vessels during the two years immediately preceding the coming into force of this Act, or when such welder has not re-registered the certificate during a period of two consecutive years.

“(4) Every certificate of a welder and every re-registration certificate shall be posted up in a conspicuous place upon the premises where the welder carries on his operations and shall produce the same at any time upon demand of any inspector or upon demand of a member of any police force.

“(5) Any person who welds or offers to weld any pressure vessel at any time whilst he is not the holder of a certificate under this section, or who fails to post or keep posted his certificate and certificate of re-registration, or to produce the same as required by this section, shall, in each such case be guilty of an offence and shall be liable upon summary conviction thereof to a penalty not exceeding two hundred and fifty dollars and not less than ten dollars.”

17. This Act shall come into force on the day upon which it is assented to.

THIRD SESSION
EIGHTH LEGISLATURE

1 GEORGE VI

1937

BILL

An Act to amend The Boilers Act,
1929.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. FALLOW.

EDMONTON:
A. Shnitka, King's Printer
1937