

The Electrical Inspection Act, 1993

being

Chapter E-6.3 of the *Statutes of Saskatchewan, 1993* (effective May 21, 1993) as amended by the *Statutes of Saskatchewan, 1996, c.9 and c.14; 1999, c.C-38.01; 2004, c.56; 2013, c.S-15.1; 2015, c.F-15.11; 2018, c.42; and 2020, c.31.*

***NOTE:** Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-6.3

An Act respecting the Inspection of Electrical Equipment, Installations and Materials

SHORT TITLE

Short title

- 1 This Act may be cited as *The Electrical Inspection Act, 1993*.

INTERPRETATION AND APPLICATION

Interpretation

- 2 In this Act:

- (a) **“approved”** means approved by the chief inspector pursuant to this Act;
- (b) **“bond”** means a bond required pursuant to this Act or *The Electrical Licensing Act*;
- (c) **“chief inspector”** means the chief inspector appointed pursuant to section 6;
- (d) **“contractor”** means a contractor as defined in *The Electrical Licensing Act*;
- (e) **Repealed.** 2020, c 31, s.3-2;
- (f) **Repealed.** 2020, c 31, s.3-2;
- (g) **“designated city”** means a city that is designated pursuant to section 8;
- (h) **“director”** means the director of licensing appointed pursuant to *The Electrical Licensing Act*;
- (i) **“distribution system”** means a system for the supply of electrical energy by an electric utility to the premises of its customers, and includes all wiring and equipment owned or operated by the utility that may be located in or on those premises;
- (j) **“electric utility”** means a person who owns or operates equipment or facilities in Saskatchewan for the production, generation, transmission, sale, delivery or furnishing of electrical power for compensation to two or more premises in Saskatchewan, and includes a lessee, trustee, receiver or liquidator of that person;

- (k) **“electrical equipment”**:
- (i) means any apparatus, appliance, device, instrument, fitting, fixture, machinery, material or thing used, or capable of being used, in or for:
 - (A) the generation, transformation, transmission, distribution, supply or utilization of electrical power or energy; or
 - (B) the protection of buildings or premises from damage by lightning; and
 - (ii) includes any assemblage or combination of materials or things used, or capable of being used or adapted, to serve or perform any purpose or function when connected to an electrical installation, notwithstanding that any of the materials or things may be mechanical, metallic or non-electric in origin;
- (l) **“electrical installation”** includes electrical equipment and any connected wiring;
- (m) **“employer”** means an employer as defined in *The Electrical Licensing Act*;
- (n) **“inspector”** means an inspector appointed pursuant to section 6 and includes the chief inspector;
- (o) **“judge”** means a judge of the Court of Queen’s Bench;
- (p) **“licence”** means a valid and subsisting licence issued or continued pursuant to *The Electrical Licensing Act*;
- (q) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (q.1) **“ministry”** means ministry as defined in *The Electrical Licensing Act*;
- (r) **“permit”** means a valid and subsisting permit issued or continued pursuant to this Act;
- (s) **“person”** includes a firm, partnership, joint venture, association, society or any other organization;
- (t) **“premises”** includes land, buildings and structures;
- (u) **“prescribed”** means prescribed in the regulations;
- (v) **“supply house”** means a manufacturer, jobber or wholesale vendor or a manufacturer’s agent that deals in electrical equipment;
- (v.1) **“transmission line”** means a facility for the transmission of electrical energy by an electrical utility from point to point, including to the premises of customers;

(w) “**work of electrical installation**” means the installation of any electrical equipment, in or on any premises, from the point where electrical power or energy is delivered to the point where the power or energy can be used, and includes the maintenance, connection, alteration, extension and repair of electrical installations, but does not include:

- (i) the insertion or replacement of:
 - (A) approved lamps in sockets or receptacles; or
 - (B) approved fuses, rated at less than 750 volts, controlling circuits or equipment;
- (ii) the connection, use or operation of small portable electrical equipment to supply circuits by means of attachment plugs, if the connection does not overload the circuit conductors; or
- (iii) any prescribed work of electrical installation.

1993, c.E-6.3, s.2; 2004, c.56, s.3; 2018, c 42,
s.65; 2020, c31, s.3-2.

Interpretation and administration of Act – safety standards agreement

2.1(1) In this section, “**safety standards agreement**” means a safety standards agreement entered into pursuant to *The Technical Safety Authority of Saskatchewan Act* respecting this Act.

(2) Notwithstanding any other provision of this Act or the regulations or of any other Act or law, this Act and the regulations are to be interpreted subject to the provisions of *The Technical Safety Authority of Saskatchewan Act* and the safety standards agreement.

2020, c 31, s.3-3.

Application

3(1) Subject to subsection (2), this Act applies to:

- (a) all work of electrical installation;
- (b) the inspection of all work of electrical installation; and
- (c) the design, manufacture, display, advertising, sale and use of electrical equipment.

(2) This Act does not apply to:

- (a) the work of electrical installation:
 - (i) in power houses, substations or other facilities:
 - (A) in which electricity is produced or from which electricity is distributed; and
 - (B) from which some or all of the electricity mentioned in paragraph (A) is sold;

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- (ii) on railway cars or locomotives or street railway cars or locomotives;
 - (iii) on transmission lines and distribution systems of electric utilities; or
 - (iv) on elevators as defined in *The Passenger and Freight Elevator Act*;
or
- (b) any prescribed electrical equipment.

2004, c.56, s.4.

Act binds Crown

4 The Crown is bound by this Act.

1993, c.E-6.3, s.4.

STANDARDS OF WORK

Canadian Electrical Code to govern

5(1) All work of electrical installation, with respect to workmanship and any other matter, is required to conform to the requirements of the latest prescribed edition of the *Canadian Electrical Code*, subject to any amendments that may be prescribed by the minister.

(2) For the purposes of this section, the minister may prescribe any amendments to the latest prescribed edition of the *Canadian Electrical Code* that the minister considers appropriate.

1993, c.E-6.3, s.5.

INSPECTORS

Appointment

6(1) The minister:

- (a) shall appoint a chief inspector; and
- (b) may appoint any inspectors, in addition to the chief inspector, that it considers appropriate.

(2) **Repealed.** 2004, c.56, s.5.

(3) No individual who is interested, either directly or indirectly, in the sale of electrical equipment or the work of electrical installation shall be appointed to the office of chief inspector.

(4) No inspector appointed pursuant to this section shall inspect:

- (a) any work of electrical installation that he or she has performed or in which he or she has any direct or indirect interest; or
- (b) any electrical equipment if he or she has any direct or indirect interest in the sale of that electrical equipment.

1993, c.E-6.3, s.6; 2004, c.56, s.5; 2020, c31, s.3-4.

Persons contracted

7(1) Subject to subsection (2), the minister may, on any terms and conditions that the minister considers appropriate, engage the services of persons as independent contractors to assist in the enforcement of this Act and the regulations.

(2) The services of persons may be engaged pursuant to subsection (1) only for the purposes of dealing with a backlog of work and not for the purpose of taking the place on a full-time basis of an inspector appointed pursuant to section 6.

(3) Any person whose services are engaged pursuant to this section shall:

(a) carry liability insurance in an amount that the minister considers sufficient;

(b) have the powers and carry out the functions of an inspector as set out in the contract; and

(c) carry out inspections only in the area authorized in the contract for services.

(4) No person whose services are engaged pursuant to this section shall inspect:

(a) any work of electrical installation that he or she has performed or in which he or she has any direct or indirect interest; or

(b) any electrical equipment if he or she has any direct or indirect interest in the sale of that electrical equipment.

1993, c.E-6.3, s.7; 2004, c.56, s.6; 2020, c31, s.3-5.

Designation of certain cities

8 The chief inspector may designate any city as a city in which an inspector is to be employed on a full-time or part-time basis.

1993, c.E-6.3, s.8.

Certificate of appointment

9(1) The minister shall furnish each inspector with an identification card.

(2) When requested, an inspector shall produce his or her identification card when the inspector applies for admission to any premises.

1993, c.E-6.3, s.9; 2004, c.56, s.7; 2020, c31, s.3-6.

Powers of inspectors

10(1) An inspector may:

(a) at any reasonable time, enter premises for the purpose of enforcing this Act or the regulations;

(b) inspect any work of electrical installation or any electrical equipment, and may:

(i) approve, conditionally or unconditionally, any work of electrical installation or any electrical equipment inspected; or

(ii) reject any work of electrical installation or electrical equipment inspected;

- (c) make any examination and investigation that may be necessary to ascertain whether or not this Act or the regulations are being complied with;
 - (d) order, in writing, the production of, or inspect and make copies of, any books, records, documents or computer data or any entry in any book, record, document or computer data relating to any matter within the scope of this Act or the regulations;
 - (e) examine and test any electrical equipment and require any electrical equipment that is being examined or tested to be actively put in motion or use, stopped or disassembled for the purpose of examination or testing;
 - (f) order the removal of any obstruction that prevents testing or an examination or inspection.
- (2) A justice of the peace or a judge of the Provincial Court of Saskatchewan, if satisfied by the oath or affirmation of an inspector that there are reasonable grounds for believing that a contravention of this Act, the regulations, or a notice, order, decision, requirement or direction of an inspector made pursuant to this Act or the regulations, has occurred and that there is evidence to be found at the place to be searched, may issue a warrant authorizing the person named in the warrant to enter the place named in the warrant and every part of the place named in the warrant and of the premises connected with that place to:
- (a) examine the place and connected premises; and
 - (b) search for and seize and take possession of any records, designs, plans, computer data or other documents or other property that the inspector has reasonable grounds to believe may constitute evidence of a contravention of this Act, the regulations or a notice, order, decision, requirement or direction of an inspector made pursuant to this Act.

1993, c.E-6.3, s.10; 2004, c.56, s.8; 2020, c31, s.3-7.

INSTALLATIONS

Stop-work order

- 11(1)** Where any construction or work of electrical installation is being carried out in contravention of this Act or the regulations, an inspector may order the construction or the work of electrical installation to stop immediately.
- (2) An order issued pursuant to subsection (1):
- (a) is to be posted at the location where the work is being, or is to be, performed; and
 - (b) is effective immediately on posting.
- (3) No construction or work of electrical installation that is the subject of an order pursuant to subsection (1) is to be recommenced until the order is rescinded by an inspector.

1993, c.E-6.3, s.11.

Connections and reconnections

12(1) No person shall connect an electrical installation with a distribution system or transmission line, except under the authority of, and in accordance with, a permit issued by the minister.

(2) No person who operates a distribution system or transmission line shall reconnect to the system any premises that have been disconnected for a period of 12 months or more, except under the authority of a permit issued by the minister.

(3) Connections and reconnections made pursuant to this section are deemed to be made pending inspection by an inspector, and the person who operates the distribution system or transmission line must be satisfied before a connection is made that the wiring on the customer's service is free from short circuits, grounds or any defects that might cause a hazard to life or property.

2004, c.56, s.9; 2020, c31, s.3-8.

Temporary permits

13(1) The chief inspector may, on payment of the fee fixed by the minister, issue a temporary permit with respect to:

(a) a building that is about to be constructed or that is under construction, for the purpose of enabling the owner or occupant to obtain a supply of electrical energy during the period of construction; or

(b) any temporary electrical wiring other than that described in clause (a).

(2) A permit issued pursuant to subsection (1) is effective for the period stated in the permit, and the electrical supply may be disconnected on the expiration of that period unless a new permit is issued.

1993, c.E-6.3, s.13; 2020, c31, s.3-9.

Reports by operator of distribution system, transmission line

14 On the request of the chief inspector, a person who operates a distribution system or a transmission line shall, within any time specified by the chief inspector, provide to the chief inspector a report containing the following information with respect to each new connection and reconnection made by the person during any period specified by the chief inspector:

(a) the serial number of the permit authorizing the connection or reconnection;

(b) the name of the contractor who requested the permit;

(c) the name of the customer at whose premises the connection or reconnection was made;

(d) the address or location of the premises at which the connection or reconnection was made;

(e) the date on which the connection or reconnection was made;

(f) any additional information requested by the chief inspector.

2004, c.56, s.10; 2020, c31, s.3-10.

Owner permits

15 The chief inspector may, on payment of the fee fixed by the minister, issue a permit to an individual who, alone or together with his or her spouse, owns and occupies premises as a single family dwelling, for the purpose of authorizing the individual to do work of electrical installation there without obtaining a licence pursuant to section 8 of *The Electrical Licensing Act*.

2020, c31, s.3-11.

Contractor permits

16(1) The chief inspector may, on payment of the fee fixed by the minister, issue a permit to a contractor to authorize the work of electrical installation specified in the contractor's application for a permit.

(2) Subject to subsections (3) to (6), no contractor shall commence any work of electrical installation without first being issued a permit authorizing the work.

(3) A contractor may commence work of electrical installation on a day on which the offices of the ministry are closed if the contractor is issued a permit on the next day on which the offices of the ministry are open, but shall discontinue that work if the application for a permit is refused.

(4) Subject to subsection (5), with respect to work of electrical installation to be done in any place other than a designated city, a contractor shall apply for a permit within seven days after the completion of the work.

(5) If work described in subsection (4) is not completed within 30 days after the commencement of the work, the contractor shall:

- (a) apply for a permit within 30 days after commencement of the work; and
- (b) immediately after completion of the work, send or deliver to the chief inspector a notice of completion.

(6) Any document that a contractor is required to send pursuant to this section must be:

- (a) in a form specified by the chief inspector; and
- (b) mailed by prepaid first class or delivered by hand or by electronic means to the chief inspector.

1993, c.E-6.3, s.16; 1996, c.9, s.2; 2020, c31, s.3-12.

Refusal of permit

17(1) The chief inspector may, for cause, refuse to issue a permit or may cancel a permit.

(2) Without limiting the generality of subsection (1), the chief inspector may refuse to issue a permit to any of the following, or may cancel a permit issued to any of the following:

- (a) a person who has not paid any inspection fee, licence fee, permit fee or costs required by this Act, the regulations, *The Electrical Licensing Act* or the regulations made pursuant to that Act;

- (b) a person who has defective work of electrical installation outstanding at the time of applying for a permit or a licence;
- (c) a person who has submitted an incomplete application or an application with false or misleading information;
- (d) a person who exhibits an inability to perform the work of electrical installation in a manner that, in the opinion of an inspector, is acceptable and safe;
- (e) a person who fails to comply with a term or condition of a permit;
- (f) a person who fails to make corrections that are directed in an order pursuant to section 20 within the time specified in the order;
- (g) an individual who applies for or who receives a permit pursuant to section 15 within one year after being issued a permit pursuant to that section for an electrical installation on different premises;
- (h) a person who supplies, transmits, distributes or sells electrical energy contrary to subsection 38(1) of *The Power Corporation Act* without the consent of the Saskatchewan Power Corporation.

1993, c.E-6.3, s.17; 2004, c.56, s.11; 2020, c31, s.3-13.

ELECTRICAL EQUIPMENT

Manufacture, sale, etc.

18(1) No person shall manufacture, sell or offer for sale, display, advertise, rent, use or otherwise provide or offer for use any electrical equipment, or attempt to do any of those things, unless the electrical equipment is:

- (a) approved; or
 - (b) certified by a prescribed testing laboratory.
- (2) All electrical equipment must bear evidence, in a manner satisfactory to the chief inspector, of the approval or certification mentioned in subsection (1).
- (3) All electrical equipment is subject to inspection by an inspector.
- (4) Where an inspector finds electrical equipment that is not approved or certified and that has been sold to any person within Saskatchewan, the chief inspector may send a notice to the seller requiring the seller, within a reasonable time, to replace the equipment with approved or certified electrical equipment.
- (5) Where an inspector finds electrical equipment that is not approved or certified and finds or believes that the electrical equipment was sold or supplied to any person within Saskatchewan, the chief inspector may send a notice to the seller or supply house requiring the seller or supply house, within a reasonable time, to:
- (a) provide the chief inspector with information with respect to the person to whom the electrical equipment was sold or supplied; and
 - (b) recall the electrical equipment from the person to whom it was sold or supplied.

(6) Where an inspector finds electrical equipment that is not approved or certified and that is or has been offered for sale, the inspector may order the seller to cease offering that electrical equipment for sale.

(7) Where a person fails to comply with an order made pursuant to subsection (6), the chief inspector may seize or have seized the electrical equipment that is not approved or certified and may, after giving 30 days' notice to the person from whom it was seized, dispose of the electrical equipment in any manner that is not inconsistent with this Act.

(8) All costs associated with an investigation, notification, seizure or disposal pursuant to this section, including the administrative costs of the ministry that are attributable to those activities, are to be determined by an inspector and charged to the seller or supply house and constitute a debt due to the Crown in right of Saskatchewan and may be recovered in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

1993, c.E-6.3, s.18; 2020, c31, s.3-14.

MAJOR INSTALLATION DESIGNS

Submission of plans and specifications

19(1) In this section, “**major electrical installation**” means an electrical installation that:

- (a) has an ampacity in excess of 200 amperes;
- (b) has a voltage in excess of 300 volts; or
- (c) is in a hazardous location, other than a service station or an oil well that has an ampacity equal to or less than 200 amperes or a voltage equal to or less than 300 volts.

(2) If a major electrical installation is to be made in Saskatchewan, the chief inspector may request the contractor, owner, architect, designer or consultant to submit to the chief inspector any number of copies of the plans and specifications with respect to the installation, and the person to whom the request is directed shall submit those plans and specifications to the chief inspector, together with the examination fee fixed by the minister.

1993, c.E-6.3, s.19; 2020, c31, s.3-15.

DEFECTS AND HAZARDS

Defects

20 Where an inspector finds any work of electrical installation or any electrical equipment that does not comply with this Act or the regulations, the inspector may:

- (a) make a written order directing that the necessary corrections be made; and
- (b) specify a reasonable time within which the corrections are to be made.

1993, c.E-6.3, s.20.

Fire hazard

21(1) Where in any premises an inspector finds that any electrical equipment or any work of electrical installation, for want of proper repair, by reason of age or for any other cause, constitutes a fire hazard, a potential fire hazard or a danger to persons in the premises, the inspector may do one or more of the following:

- (a) order the owner, the owner's agent or the occupant of the premises to disconnect the equipment or to stop the work immediately;
 - (b) order the owner, the owner's agent or the occupant of the premises to repair, alter or remove the electrical equipment;
 - (c) specify a reasonable time within which the hazard is to be remedied;
 - (d) in the event of an immediate hazard or danger, order the persons in the premises to evacuate the premises;
 - (e) order persons who are situated in proximity to the hazard or danger to relocate;
 - (f) make any other remedial order that the inspector considers appropriate in the circumstances.
- (2) An order made pursuant to subsection (1):
- (a) is to be in writing;
 - (b) is to be delivered by hand to the owner or occupant of the premises or posted in a conspicuous place on or near the premises; and
 - (c) is effective immediately on delivery or posting in accordance with clause (b).
- (3) All costs associated with an investigation and order pursuant to this section, including the administrative costs of the ministry that are attributable to those activities, are to be determined by an inspector and charged to the owner of the premises that are the subject of the order and constitute a debt due to the Crown in right of Saskatchewan and may be recovered in any manner authorized pursuant to *The Financial Administration Act, 1993* or in any other manner authorized by law.

1993, c.E-6.3, s.21; 2020, c31, s.3-16.

Disconnections

22(1) Where an order issued pursuant to section 20 or 21 is not complied with within the time specified in the order, the chief inspector may order the electric utility to discontinue service to the premises.

(2) Where an electrical installation is made without a permit, the chief inspector may order the electric utility or the person who operates the transmission line to discontinue service to the premises.

1993, c.E-6.3, s.22.

Refusal of access to premises

23(1) Where an inspector is refused access to premises or premises are not made accessible to an inspector, the inspector shall:

- (a) give written notice of that fact to the owner or the contractor, as the case may require; and
 - (b) order the owner or the contractor to allow or provide access to the premises within 30 days after the day on which the inspector attempted to gain access.
- (2) Where an owner or contractor fails to comply with an order pursuant to clause (1)(b), an inspector may:
- (a) cancel any permit that has been issued with respect to those premises; and
 - (b) order the electrical utility to discontinue service to the premises.
- (3) After a permit is cancelled pursuant to clause (2)(a), the minister, the chief inspector or an inspector has no further duty to inspect the premises or investigate any matter associated with the premises.

1993, c.E-6.3, s.23; 2004, c.56, s.12; 2020, c.31, s.3-17.

Recourse to guarantee bond

24(1) Where an inspector finds that work of electrical installation done or electrical equipment supplied by a contractor does not comply with this Act or the regulations, the chief inspector may:

- (a) send a notice of the defective work or equipment to the surety under the contractor's guarantee bond in accordance with *The Electrical Licensing Act*; and
 - (b) specify in the notice a reasonable time within which the defects are to be remedied.
- (2) Where defects are not remedied within the time specified in the notice sent pursuant to subsection (1):
- (a) the chief inspector may cause the necessary corrective work to be done, or the electrical equipment to be supplied, by another contractor; and
 - (b) the cost of the work or electrical equipment and the costs of the ministry that are not included in any fee that has been charged are to be:
 - (i) charged against the amount of the guarantee bond; and
 - (ii) notwithstanding *The Electrical Licensing Act* and the regulations made pursuant to that Act, paid immediately by the surety to the minister.
- (3) The chief inspector shall:
- (a) send a copy of the notice mentioned in subsection (1) to the director; and
 - (b) give notice to the director of any corrective work to be done or electrical equipment supplied pursuant to subsection (2).

1993, c.E-6.3, s.24; 2020, c.31, s.3-18.

Private power plants

25(1) Where an inspector finds a defect that constitutes a hazard or a potential hazard to life or property in an electrical installation that is not supplied with electrical energy from a distribution system or transmission line, the chief inspector may send a written notice of the defect to:

- (a) the person who operates the generating plant that supplies electrical energy to the premises on which the defective installation exists;
- (b) the owner and the occupant of the premises; and
- (c) the person who made the installation.

(2) The notice mentioned in subsection (1) is to specify a reasonable time within which the defects are to be remedied.

(3) Where defects are not remedied within the time specified in the notice, the chief inspector may, by written notice, order the person who operates the generating plant to discontinue service to the premises.

(4) At or after the time when notice is given pursuant to subsection (3), an inspector may take any measures that the inspector considers necessary to stop the supply of electrical energy to the premises.

1993, c.E-6.3, s.25; 2004, c.56, s.13.

Agent of necessity

26(1) The chief inspector may direct an inspector to appoint a contractor to render premises safe in accordance with the inspector's instructions where:

- (a) the inspector finds the existence of an immediate hazard;
- (b) the owner of the premises on which the hazard is located:
 - (i) cannot be contacted immediately; or
 - (ii) refuses to comply with an order of the inspector; and
- (c) either:
 - (i) substantial damage could occur to the premises; or
 - (ii) there is a risk of injury to persons.

(2) The minister shall indemnify any contractor appointed pursuant to subsection (1).

(3) The owner of the premises rendered safe pursuant to subsection (1) is liable to the Crown in right of Saskatchewan for all costs incurred, including the costs of the ministry that are not included in any fee that has been charged.

1993, c.E-6.3, s.26; 2020, c31, s.3-19.

REPORTS AND INVESTIGATIONS OF ACCIDENTS

Reporting

27 Where an accident involving an electrical installation or electrical equipment occurs and results in the death or injury of a person or in a fire or an explosion, the contractor or the contractor's agent or the owner of the electrical equipment or the owner's agent shall immediately notify the chief inspector, stating the precise location of the accident, its general nature and results.

1993, c.E-6.3, s.27

Investigation

28 Subject to *The Coroners Act, 1999*, *The Fire Safety Act* and Part III of *The Saskatchewan Employment Act*:

(a) where an accident described in section 27 occurs, no part of any electrical plant or electrical equipment involved is to be removed or its position altered by any person, except for the purposes of rescuing persons injured or removing the bodies of persons killed, until the written permission of an inspector has been obtained; and

(b) an inspector may:

(i) investigate a death or injury of a person, a fire or an explosion that the inspector has reason to believe has been caused by any electrical equipment, electrical installation or work of electrical installation to which this Act applies; and

(ii) remove from the premises all or any part of the electrical equipment to provide evidence regarding the cause of the death, injury, fire or explosion or to further investigate the electrical equipment.

1993, c.E-6.3, s.28; 1999, c.C-38.01, s.68; 2004, c.56, s.14; 2013, c.S-15.1, s.10-20; 2015, c.F-15.11, s.57.

Prohibitions

28.1(1) No person shall fail to comply with a reasonable request of an inspector made by the inspector in the course of carrying out the inspector's duties pursuant to this Act.

(2) No person shall knowingly make any false or misleading statement to an inspector or provide any false information to an inspector.

(3) No person, when asked to make a statement to an inspector, shall knowingly omit to state a fact that is required to be stated or that is necessary to make the statement not misleading in light of the circumstances in which it is made.

(4) Unless authorized by an inspector, no person shall remove, alter or interfere in any way with any electrical equipment seized or disposed of pursuant to subsection 18(7).

(5) No person shall obstruct or interfere with an inspector in the course of the performance of the inspector's duties or the exercise of the inspector's powers pursuant to this Act or the regulations.

2004, c.56, s.15.

Administrative penalties

28.2(1) The chief inspector may assess a penalty against a person for contraventions of this Act or the regulations or for failure to comply with a notice, order, decision, requirement or direction of an inspector made pursuant to this Act.

(2) The penalty may consist of:

- (a) a single monetary amount not exceeding \$5,000;
- (b) a daily amount not exceeding \$1,000 for each day the infraction continues; or
- (c) a combination of clauses (a) and (b).

(3) Before assessing a penalty, the chief inspector shall provide notice to the person:

- (a) setting out the facts and circumstances that, in the chief inspector's opinion, render the person liable to a penalty;
- (b) specifying the amount of the penalty that the chief inspector considers appropriate in the circumstances; and
- (c) informing the person of the person's right to make representations to the chief inspector.

(4) No penalty is to be assessed by the chief inspector more than three years after the act or omission that renders the person liable to a penalty first came to the knowledge of the chief inspector.

(5) A person to whom notice is sent pursuant to subsection (3) may make representations to the chief inspector respecting whether a penalty should be assessed and the amount of any penalty.

(6) Representations pursuant to subsection (5) must be made within 30 days after the person received the notice.

(7) After considering any representations, the chief inspector may:

- (a) assess a penalty in the amount set out in the notice and set a date by which the penalty is to be paid in full;
- (b) assess a revised penalty and set a date by which the penalty is to be paid in full; or
- (c) determine that no penalty should be assessed.

(8) The chief inspector shall serve a copy of the decision pursuant to subsection (7), with reasons, on the person who made the representations.

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(9) The chief inspector may assess a penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the penalty.

(10) If a corporation commits a contravention mentioned in subsection (1), the chief inspector may, in accordance with this section, assess a penalty against an officer, director or other person of the corporation who authorized, permitted or acquiesced in the contravention, even though the corporation is liable for or pays an administrative penalty.

2020, c 31, s.3-20.

Enforcement of administrative penalty

28.3(1) The chief inspector may file in the Court of Queen's Bench a certificate signed by the chief inspector and setting out:

- (a) the amount of the penalty assessed pursuant to subsection 28.2(2) or (7); and
- (b) the person from whom the penalty is to be recovered.

(2) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the Court of Queen's Bench for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.

2020, c 31, s.3-20.

Discipline order

28.4(1) In this section, "**regulated work**" means any work, process or activity respecting the inspection of electrical equipment, installation and materials.

(2) The chief inspector may issue a discipline order pursuant to this section against any person who:

- (a) is in contravention of this Act or the regulations;
- (b) fails to comply with a notice, order, decision, requirement or direction made pursuant to this Act;
- (c) fails to comply with a term or condition of a licence; or
- (d) is performing work regulated by this Act for which the person is not licensed, or undertakes regulated work that the person is not qualified to undertake.

(3) A discipline order mentioned in subsection (2) must:

- (a) be in writing and in the form approved by the minister;
- (b) cite the contravened provision of this Act or of the regulations or the contravened notice, order, decision, requirement or direction made pursuant to this Act;

- (c) contain a description of the action to be undertaken by the person;
 - (d) subject to subsection (5), require the person to undertake the action within a period specified in the order that is not less than 30 days from the time the person receives the order; and
 - (e) be served on the person to whom the order is directed as soon as is practicable after it is issued.
- (4) The penalty may consist of any sanction the chief inspector considers necessary, including the following:
- (a) that specified training or education be completed within a specified period;
 - (b) that practices involving the regulated work be stopped or modified;
 - (c) that advertising, display or disposal of regulated work be stopped or modified;
 - (d) that advertising or display of regulated work be reported to the chief inspector for a specified period;
 - (e) that any person performing regulated work act only under supervision or as directed in the discipline order;
 - (f) that any other action by a person be taken, modified or stopped if necessary to prevent, avoid or reduce risk of personal injury or damage to property;
 - (g) that reports on any of the actions listed in the discipline order be made to the chief inspector.
- (5) For the purposes of clause (3)(d), if the action requires ongoing reporting to the chief inspector, the discipline order must set a period of not more than one year in which the reporting of the action must be completed.

2020, c 31, s.3-20.

Court-ordered compliance

28.5(1) The chief inspector may apply to a judge of the Court of Queen's Bench for all or any of the following:

- (a) an order compelling a person to comply with this Act, the regulations, a notice, order, decision, requirement or direction made pursuant to this Act or the regulations, or the terms and conditions of a licence;
 - (b) an order enjoining any person from proceeding contrary to this Act, the regulations, a notice, order, decision, requirement or direction of an inspector made pursuant to this Act or the regulations, or the terms and conditions of a licence.
- (2) On an application pursuant to this section, the judge of the Court of Queen's Bench may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.
- (3) The chief inspector may apply for an order pursuant to subsection (1) regardless of whether an order pursuant to this Act or the regulations has been issued with respect to the matter.

2020, c 31, s.3-20.

OFFENCES AND PENALTIES

Offences and penalties

29(1) No person shall:

- (a) contravene this Act or the regulations;
 - (b) fail to comply with a notice, order, decision, requirement or direction made pursuant to this Act or the regulations; or
 - (c) obstruct or hinder an inspector in the performance of the inspector's duties pursuant to this Act or the regulations.
- (2) Every person who contravenes any provision of subsection (1) is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$25,000 and, in the case of a continuing offence, to a further fine of not more than \$5,000 for each day or part of a day during which the offence continues; and
 - (b) in the case of a corporation, to a fine of not more than \$200,000 and in the case of a continuing offence, to a further fine of not more than \$20,000 for each day or part of a day during which the offence continues.
- (3) If a corporation commits an offence pursuant to this Act, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties provided for the offence whether or not the corporation has been prosecuted or convicted.
- (4) If a person is convicted of an offence for non-compliance with a notice, order, decision, requirement or direction made pursuant to this Act or regulations, the conviction does not relieve the person from compliance with the notice, order, decision, requirement or direction and the convicting judge of the Provincial Court of Saskatchewan may, in addition to any fine imposed, order that person to do, within a specified period, any act or work necessary to remedy the non-compliance with the notice, order, decision, requirement or direction.
- (5) A person to whom an order is given pursuant to subsection (4) who fails to comply with the notice, order, decision, requirement or direction within the specified time is guilty of an offence and liable on summary conviction:
- (a) in the case of an individual, to a fine of not more than \$5,000 for each day during which the non-compliance continues; and
 - (b) in the case of a corporation, to a fine of not more than \$10,000 for each day during which the non-compliance continues.

Vicarious liability

29.1 In any prosecution of a person for an offence pursuant to this Act, it is sufficient proof of the offence to establish, in the absence of any evidence that the offence was committed without the person's knowledge, that it was committed by an employee, helper or agent of the person, whether or not the employee, helper or agent:

- (a) is identified; or
- (b) has been prosecuted or convicted for the offence.

2004, c.56, s.17.

Limitation of actions

30 No prosecution with respect to an alleged offence pursuant to this Act or the regulations is to be commenced after the later of:

- (a) two years from the day on which the alleged offence becomes known to an inspector; or
- (b) three years from the day of the commission of the alleged offence.

1993, c.E-6.3, s.30; 2004, c.56, s.18.

Liability for damages

31(1) Nothing in this Act or the regulations annuls or lessens the responsibility of any person for damages with respect to a person who is killed or injured or any property that is destroyed or damaged.

(2) No action or proceeding lies or shall be commenced against the Government of Saskatchewan, the minister, any officer, inspector, employee of the ministry or any agent of the Government of Saskatchewan for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

1993, c.E-6.3, s.31; 2020, c.31, s.3-22.

APPEALS

Appeal to chief inspector

32(1) A person aggrieved by a decision, order or directive made by an inspector may, within 30 days after the date of the service of the decision, order or directive on the person, appeal in writing to the chief inspector who may affirm, amend or cancel the decision, order or directive.

(2) The chief inspector shall give notice of, and provide written reasons for, his or her decision to the person mentioned in subsection (1).

(3) An appeal pursuant to subsection (1) does not suspend the operation of the decision, order or directive, but the chief inspector may suspend its operation pending the disposition of the appeal.

1993, c.E-6.3, s.32; 2004, c.56, s.19.

Appeal to court

33(1) A person aggrieved by an order or decision of the chief inspector may, by notice of motion, appeal the decision to a judge at any time within 30 days after the day on which the decision is made.

(2) On an appeal pursuant to subsection (1), the judge may allow the appeal or affirm or vary the order or decision appealed against.

(3) The decision of the judge on an appeal pursuant to subsection (1) is final, and there is no right to a further appeal.

(4) An appeal pursuant to subsection (1) does not stay the operation of the chief inspector's order or decision, but the judge may stay its operation pending disposition of the appeal.

1993, c.E-6.3, s.33.

REGULATIONS

Regulations

34 For the purpose of carrying out this Act according to its true intent, the Lieutenant Governor in Council may make regulations:

- (a) respecting the classification and issue of permits;
- (b) prescribing the period for which and conditions under which a permit or any class of permits may be issued;
- (c) prescribing the penalty for electrical installations made without a permit or the written consent of the chief inspector;
- (d) respecting the submission, registration and approval of plans and specifications for anything done or permitted to be done pursuant to this Act or the regulations;
- (e) designating testing agencies for the purpose of approving or certifying electrical equipment;
- (f) respecting the investigation and reporting of fires, explosions, electrocutions or any accident involving any work of electrical installation or electrical equipment;
- (g) regulating or prohibiting the exchange, display, advertising, sale or other disposal or use of electrical equipment;
- (h) exempting from the application of all or any part of this Act any:
 - (i) electrical installation, part or type of a structure, building or class of buildings; or
 - (ii) work of electrical installation or operation, alteration or repair of electrical equipment;
- (i) providing for the periodic inspection of any work of electrical installation or electrical equipment and for the method of inspection;
- (j) respecting the certification and listing of electrical equipment;

- (k) respecting the terms of the contract for services, liability insurance and remuneration of persons contracted pursuant to section 7;
- (l) prescribing the form, period and content of reports required pursuant to section 14;
- (m) adopting any relevant code, rule or published standard, together with any amendments;
- (m.1) **Repealed.** 2020, c31, s.3-23;
- (n) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (o) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

1993, c.E-6.3, s.34; 2004, c.56, s.20; 2020, c31, s.3-23.

FEES AND COSTS

Fees and costs

35(1) Where, in the opinion of an inspector, costs are incurred in the conduct of an inspection or the provision of a service pursuant to this Act that are not covered by a fee that has been charged, the inspector may require the person for whom the inspection was made or the service provided to pay any of those costs for which an amount is fixed by the minister pursuant to subsection (2).

(2) The minister shall fix the amount of fees and costs to be paid, and the manner in which fees and costs are to be paid, for approvals, inspections, re-inspections, special inspections, examinations of plans and specifications of electrical installations, the work of electrical installation, the issue of permits or classes of permits, the preparation of reports and opinions and any other services provided pursuant to this Act or the regulations.

(3) The minister may determine the circumstances in which refunds of fees may be given, the amounts of any refunds and the manner in which refunds may be given.

(4) Fees and costs that are in arrears after the expiry of a period specified in an invoice shall bear interest at the rate currently set by the minister for interest on overdue customer accounts.

1993, c.E-6.3, s.35; 2020, c31, s.3-24.

GENERAL

Service of notice of documents

36(1) Unless otherwise provided in this Act, any notice, order or document required by this Act or the regulations to be given or served is to be served personally or mailed by ordinary or registered mail to the last known address of the person being served or by any other prescribed means.

(2) A notice, order or document directed to the occupants of a premises that contains two or more units intended for separate occupancy is deemed to have been served on each occupant by posting a copy of the notice, order or document in a conspicuous place on the land or premises to which the notice, order or document relates.

(3) A notice, order or document served by ordinary mail or registered mail is deemed to have been received on the seventh business day following the day of its mailing, unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the document or that the person received it at a later date.

(4) Irregularity in the service of a notice, order or document does not affect the validity of an otherwise valid notice, order or document.

2020, c 31, s.3-25.

Public notice

36.1(1) Notice of administrative penalties, discipline orders, court-ordered compliance, cancellation or suspension of a licence, or any other orders made pursuant to this Act may be published in any manner that the minister considers necessary to protect the public, including posting the notice on the ministry's website.

(2) The chief inspector may, from time to time, issue notices or bulletins for the purpose of informing the public about:

- (a) hazards that may arise from a failure to comply with any of the requirements of this Act, the regulations or any code or standard adopted by the regulations; or
- (b) any other matter related to electrical safety.

2020, c 31, s.3-25.

REPEAL, TRANSITIONAL, CONSEQUENTIAL AMENDMENTS
AND COMING INTO FORCE

S.S. 1988-89, c.E-6.2 repealed

37 *The Electrical Inspection Act* is repealed.

1993, c.E-6.3, s.37.

Transitional

38 Notwithstanding the repeal of *The Electrical Inspection Act*:

- (a) every valid and subsisting permit issued or continued pursuant to that Act on or before the coming into force of this Act continues in force and may be enforced and dealt with as if issued pursuant to this Act;
- (b) every bond mentioned in clause 38(b) of *The Electrical Inspection Act* may be dealt with pursuant to this Act as if it were required pursuant to *The Electrical Licensing Act*;
- (c) references in a bond mentioned in clause 38(c) of *The Electrical Inspection Act* are to be interpreted in the manner provided in *The Electrical Licensing Act*;
- (d) any recourse to bond mentioned in clause 38(d) of *The Electrical Inspection Act* may be continued pursuant to section 24 of this Act;
- (e) section 31 of *The Electrical Inspection Act* remains in force for the purpose of determining any appeal from a decision, order or directive made by an inspector pursuant to that Act;
- (f) section 32 of *The Electrical Inspection Act* remains in force for the purpose of determining any appeal from an order or decision made by the chief inspector pursuant to that Act.

1993, c.E-6.3, s.38.

39 Dispensed. This section makes consequential amendments to another Act. The amendments have been incorporated into the corresponding Act.

