

The Saskatchewan Employment Act

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Chapter S-15.1* of the *Statutes of Saskatchewan, 2013* (effective April 29, 2014) as amended by the *Statutes of Saskatchewan, 2014*, c.E-13.1 and c.27; and 2015, 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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PART V
Radiation Health and Safety

DIVISION 1
Preliminary Matters for Part

Interpretation of Part

5-1 In this Part:

- (a) **“associated apparatus”** means any piece of diagnostic or therapeutic equipment using or associated with radiation that might be a mechanical or electrical hazard to any person;
- (b) **“committee”** means the Radiation Health and Safety Committee continued pursuant to section 5-21;
- (c) **“ionizing radiation”** means any atomic or subatomic particle or electromagnetic wave emitted or produced directly or indirectly by a machine or radioactive isotope and having sufficient kinetic or quantum energy to produce ionization;

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- (d) **“ionizing radiation equipment”** means a device capable of emitting ionizing radiation, but does not include:
 - (i) equipment operated at less than 15 kilovolts and not designed principally to produce useful radiation;
 - (ii) equipment that:
 - (A) is in storage, in transit or not being used; or
 - (B) is operated in a manner such that it cannot produce radiation;
 - (iii) any radioactive substance; or
 - (iv) any other prescribed equipment or category of equipment;
- (e) **“ionizing radiation installation”** means the whole or any part of a building or other place in which ionizing radiation equipment is manufactured, used or placed or installed for use, and includes that ionizing radiation equipment;
- (f) **“non-ionizing radiation”** includes energy in the form of:
 - (i) electromagnetic waves in the frequency range below that for which ionization occurs; or
 - (ii) ultrasonic waves having frequencies greater than 10,000 hertz;
- (g) **“non-ionizing radiation equipment”** means any equipment that is capable of emitting non-ionizing radiation;
- (h) **“non-ionizing radiation installation”** means the whole or any part of a building or other place in which non-ionizing radiation equipment is manufactured, used or placed or installed for use, and includes that non-ionizing radiation equipment;
- (i) **“operator”** means a person who uses or controls the use of any radiation equipment;
- (j) **“owner”** means a person having management and control of a radiation installation, radiation equipment or a radiation installation and radiation equipment;
- (k) **“purchaser”** includes a lessee;
- (l) **“radiation”** includes ionizing radiation and non-ionizing radiation;
- (m) **“radiation equipment”** includes ionizing radiation equipment and non-ionizing radiation equipment;
- (n) **“radiation health officer”** means a radiation health officer appointed pursuant to section 5-16;
- (o) **“radiation installation”** includes ionizing radiation installations and non-ionizing radiation installations;
- (p) **“radiation worker”** means a person who, in the course of the person's employment duties, business, professional activities, studies or training:
 - (i) is exposed to radiation; and
 - (ii) if exposure limits, exposure levels or dose limits are specified for members of the public, might receive radiation exposure in excess of those limits or levels;

- (q) **“safety measures”** means measures designed for the purposes of safety in connection with the design and use of radiation installations, radiation equipment and associated apparatus;
- (r) **“use”** includes construct, demonstrate, test, operate, handle, repair, service and maintain;
- (s) **“vendor”** means a person who sells or leases or offers for sale or lease any radiation equipment or associated apparatus.

2013, c.S-15.1, s.5-1.

Responsibilities of minister re Part

5-2(1) The minister is responsible for all matters not by law assigned to any other minister or agency of the government relating to radiation health and safety and to advancing and improving radiation health and safety in Saskatchewan.

(2) For the purpose of carrying out the minister’s responsibilities pursuant to this Part, the minister may:

- (a) create, develop, adopt, coordinate and implement policies, strategies, objectives, guidelines, programs, services and administrative procedures or similar instruments respecting radiation health and safety;
- (b) promote or conduct studies and research projects in connection with issues related to radiation health and safety;
- (c) encourage or conduct educational programs, including seminars and courses of training, for promoting radiation health and safety;
- (d) provide consulting services with respect to matters governed by this Part and the regulations made pursuant to this Part; and
- (e) do any other thing that the minister considers necessary or appropriate to carrying out the minister’s responsibilities or exercising the minister’s powers pursuant to this Part and the regulations made pursuant to this Part.

2013, c.S-15.1, s.5-2.

DIVISION 2 Ionizing Radiation

Establishment and alteration of ionizing radiation installation, installation of ionizing radiation equipment

5-3(1) In this section and sections 5-4 and 5-7, **“substantial alteration”** includes:

- (a) respecting any ionizing radiation equipment that emits a primary beam outside the housing of the equipment, any alteration or change of position that causes the equipment to be capable of emitting a primary beam in any direction other than the direction for which approval was granted when the plans for the installation were approved;
- (b) any alteration in the shielding properties of the room or other place in which the ionizing radiation equipment is placed or installed;
- (c) any increase in the maximum generating voltage or maximum beam current of ionizing radiation equipment in an installation; and

- (d) the placement or installation of any units of ionizing radiation equipment in an ionizing radiation installation in excess of the number of units approved when the plans for the installation were approved.
- (2) Unless a plan of the proposed installation or proposed alteration has been approved in writing by a radiation health officer, no person shall:
 - (a) establish or cause to be established an ionizing radiation installation for any purpose; or
 - (b) make or cause to be made any substantial alteration in any ionizing radiation installation.
- (3) Subsection (2) does not apply to any prescribed ionizing radiation installation or prescribed substantial alteration.
- (4) A radiation health officer may withhold approval of a plan submitted for approval pursuant to subsection (2) until the radiation health officer is satisfied that the ionizing radiation installation will be constructed or altered in a manner such that all reasonable precautions are taken to minimize the exposure of any person to radiation.
- (5) No person shall use any mobile ionizing radiation equipment in any location other than one approved by a radiation health officer.

2013, c.S-15.1, s.5-3.

Statements required re ionizing radiation installations and equipment

- 5-4(1) Subject to subsection (2), within 25 business days after the day on which any ionizing radiation installation or ionizing radiation equipment comes under an owner's control or is substantially altered, the owner shall provide the minister with a statement setting out particulars of that installation, equipment or alteration, as the case may be.
- (2) Every owner of any mobile ionizing radiation equipment shall:
 - (a) provide the minister with the statement mentioned in subsection (1) within the prescribed period; and
 - (b) if required by the minister to do so, provide the minister with an itinerary for the equipment containing any particulars that may be required by the minister within the prescribed period.
 - (3) On or before January 31 in each year, every owner shall provide the minister with a statement setting out particulars of all ionizing radiation installations and ionizing radiation equipment under the owner's control.

2013, c.S-15.1, s.5-4.

Manufacture and use of ionizing radiation equipment and associated apparatus

- 5-5(1) In this section, "owner" includes:
- (a) a vendor until the vendor relinquishes control of ionizing radiation equipment or associated apparatus to its purchaser after any installation or testing has been carried out by the vendor; and
 - (b) any person who alters, repairs, services, maintains or tests ionizing radiation equipment or associated apparatus.

- (2) The owner of any ionizing radiation equipment or associated apparatus shall ensure that the equipment or apparatus is manufactured and used:
- (a) in compliance with the regulations made pursuant to this Part; and
 - (b) in a manner such that:
 - (i) no person will be unnecessarily exposed to ionizing radiation from that equipment or apparatus; and
 - (ii) no person in the vicinity of that equipment or apparatus will be exposed to ionizing radiation from it that exceeds the prescribed dose limits.
- (3) The operator of any ionizing radiation equipment or associated apparatus shall use or control the use of the equipment:
- (a) in compliance with the regulations made pursuant to this Part; and
 - (b) in a manner that satisfies the requirements of clause (2)(b).

2013, c.S-15.1, s.5-5.

Qualifications for management, control or operation

5-6(1) No person shall manage or control an ionizing radiation installation or any ionizing radiation equipment used for diagnosis or treatment relating to humans unless the person:

- (a) is qualified pursuant to an Act to provide persons with care and treatment by means of ionizing radiation equipment; or
 - (b) employs a person who meets the requirements of clause (a) to attend to the operation of the installation or equipment.
- (2) An owner of an ionizing radiation installation or any ionizing radiation equipment used for diagnosis or treatment relating to humans shall ensure that each operator is:
- (a) a duly qualified medical practitioner with specialized training in radiography;
 - (b) a chiropractor who is registered pursuant to *The Chiropractic Act, 1994*;
 - (c) a dentist, dental assistant, dental hygienist or dental therapist as defined in *The Dental Disciplines Act*;
 - (d) a medical radiation technologist who is registered pursuant to *The Medical Radiation Technologists Act, 2006*;
 - (e) subject to subsection (3), a combined laboratory and x-ray technician or technologist who possesses the qualifications necessary to become a registered, certified, active member in good standing of the Saskatchewan Association of Combined Laboratory and X-ray Technicians; or
 - (f) subject to subsection (3), a student who is under the direct supervision of a person who possesses the qualifications set out in clause (a), (b), (c), (d) or (e).

(3) An owner of an ionizing radiation installation or any ionizing radiation equipment used for diagnosis or treatment relating to humans shall ensure that an operator who is:

- (a) described in clause (2)(e) performs only examinations that he or she has been formally trained for; or
- (b) a student mentioned in clause (2)(f) performs only examinations that are within the scope of the qualifications of the person supervising the student.

(4) No person shall manage or control an ionizing radiation installation or any ionizing radiation equipment used for diagnosis or treatment relating to animals unless the person:

- (a) is entitled to practise veterinary medicine by reason of being registered pursuant to *The Veterinarians Act, 1987*; or
- (b) employs a person who meets the requirements of clause (a) to attend to the operation of the installation or equipment.

(5) An owner of an ionizing radiation installation or any ionizing radiation equipment used for diagnosis or treatment relating to animals shall ensure that each operator is:

- (a) a veterinarian entitled to practise veterinary medicine by reason of being registered pursuant to *The Veterinarians Act, 1987*;
- (b) a veterinary technologist within the meaning of *The Veterinarians Act, 1987*; or
- (c) a student under the direct supervision of a person who possesses the qualifications set out in clause (a) or (b).

(6) No person shall manage or control an ionizing radiation installation or ionizing radiation equipment that is used for a purpose other than diagnosis or treatment relating to humans or animals unless:

- (a) the person:
 - (i) understands the procedures for which the equipment is to be used; and
 - (ii) possesses the knowledge necessary to adequately manage or control the installation or equipment and knowledge of the necessary safety procedures; or
- (b) the person employs a person who meets the requirements of clause (a) to attend to the operation of the installation or equipment.

(7) An owner of an ionizing radiation installation or ionizing radiation equipment that is used for a purpose other than diagnosis or treatment relating to humans or animals shall ensure that each operator:

- (a) possesses any prescribed qualifications or meets any prescribed requirements; and
- (b) is adequately supervised by a person who meets the requirements of clause (6)(a).

(8) No person shall operate an ionizing radiation installation or any ionizing radiation equipment unless the person possesses the qualifications set out in subsection (2), (5) or (7).

2013, c.S-15.1, s.5-6.

DIVISION 3 Non-ionizing Radiation

Establishment and alteration of non-ionizing radiation installation

5-7(1) If the regulations made pursuant to this Part require the approval of plans for a non-ionizing radiation installation, no person shall establish or cause to be established a non-ionizing radiation installation or make or cause to be made any substantial alteration in any non-ionizing radiation installation until a plan of the proposed installation or proposed alteration, as the case may be, has been approved in writing by a radiation health officer.

(2) A radiation health officer may withhold approval of a plan submitted for approval pursuant to subsection (1) until the officer is satisfied that the non-ionizing radiation installation will be constructed or altered in a manner such that all reasonable precautions are taken to minimize the exposure of any person to radiation.

2013, c.S-15.1, s.5-7.

Statements required re equipment emitting non-ionizing radiation

5-8(1) Every owner of non-ionizing radiation equipment or a non-ionizing radiation installation shall, if required by the regulations made pursuant to this Part, provide the minister with a statement setting out any prescribed information about that equipment or installation.

(2) Every statement required pursuant to subsection (1) must be provided within the prescribed period.

2013, c.S-15.1, s.5-8.

Manufacture and use of non-ionizing radiation equipment and associated apparatus

5-9(1) In this section, “owner” includes:

- (a) a vendor until the vendor relinquishes control of non-ionizing radiation equipment or associated apparatus to its purchaser after any installation or testing has been carried out by the vendor; and
- (b) any person who alters, repairs, services, maintains or tests non-ionizing radiation equipment or associated apparatus.

(2) The owner of any non-ionizing radiation equipment or associated apparatus shall ensure that the equipment or apparatus is manufactured and used:

- (a) in compliance with the regulations made pursuant to this Part; and
- (b) in a manner such that the exposure of any person to non-ionizing radiation from that equipment or apparatus is limited in the prescribed manner and to the prescribed amounts.

(3) The operator of any non-ionizing radiation equipment or associated apparatus shall use or control the use of the equipment or apparatus:

- (a) in compliance with the regulations made pursuant to this Part; and
- (b) in a manner that satisfies the requirements of clause (2)(b).

2013, c.S-15.1, s.5-9.

Qualifications for management, control and use

5-10 No person shall manage or control, or use or control the use of, any non-ionizing radiation equipment or category of non-ionizing radiation equipment unless the person possesses the prescribed qualifications or meets the prescribed requirements.

2013, c.S-15.1, s.5-10.

DIVISION 4

Matters affecting Ionizing and Non-ionizing Radiation

Restrictions on use

5-11 No person shall use a radiation installation, radiation equipment or associated apparatus:

- (a) that does not comply with the prescribed standards; or
- (b) the use of which has been prohibited by a radiation health officer pursuant to clause 5-19(b).

2013, c.S-15.1, s.5-11.

Information required

5-12(1) If required to do so by the regulations made pursuant to this Part, the vendor of any radiation equipment or associated apparatus shall provide the minister with:

- (a) any prescribed information respecting the equipment or apparatus or its use;
- (b) the plans of the equipment or apparatus; or
- (c) both the information and plans mentioned in clauses (a) and (b).

(2) The information and plans required pursuant to subsection (1) must be provided within the prescribed period.

2013, c.S-15.1, s.5-12.

Incidents or hazards

5-13 If required to do so by the regulations made pursuant to this Part, the vendor, owner or operator of any radiation equipment or associated apparatus shall notify the minister of any incident or hazard involving the equipment or apparatus, in the prescribed manner, within the prescribed period and with any prescribed particulars.

2013, c.S-15.1, s.5-13.

Records

5-14 Every owner of radiation equipment shall:

- (a) keep any prescribed records respecting:
 - (i) the radiation equipment and its use;
 - (ii) the exposure of radiation workers to radiation; and
 - (iii) any other matter pertaining to radiation health and safety measures in relation to that equipment and to radiation workers; and
- (b) produce the records mentioned in clause (a) on the request of a radiation health officer.

2013, c.S-15.1, s.5-14.

DIVISION 5
General

Use of certain fluoroscopes prohibited

5-15 No person shall use a fluoroscope as an aid in selling footwear to any person or have control of a fluoroscope intended for that use.

2013, c.S-15.1, s.5-15.

Radiation health officers, appointment and powers

5-16(1) The minister may appoint one or more employees of the ministry or categories of employees of the ministry as radiation health officers for the purposes of enforcing this Part and the regulations made pursuant to this Part.

(2) The minister may set any limit or condition on any appointment pursuant to subsection (1) that the minister considers reasonable.

(3) The minister shall provide each radiation health officer with written credentials of the officer's appointment, and the radiation health officer shall produce those credentials on request when exercising or seeking to exercise any of the powers conferred on the officer by this Part or the regulations made pursuant to this Part.

2013, c.S-15.1, s.5-16.

Inspections

5-17(1) Subject to subsection (4), a radiation health officer may enter any premises, place of employment, worksite or vehicle and conduct an inspection for the purpose of:

- (a) preventing radiation incidents or illnesses;
- (b) ascertaining the cause and particulars of a radiation incident or illness or of an event that had the potential to cause a radiation incident or illness;
- (c) making an inquiry in response to a complaint concerning radiation exposure; or
- (d) determining whether there is compliance with this Part or the regulations made pursuant to this Part.

- (2) An inspection may be conducted:
- (a) at any reasonable time; or
 - (b) at any other time if the radiation health officer has reasonable grounds to believe that there is a radiation hazard.
- (3) When conducting an inspection in accordance with subsection (1), a radiation health officer may do all or any of the following things:
- (a) make any inquiry the officer considers appropriate;
 - (b) require the use of any machinery, equipment, appliance or thing located at the place or premises to be demonstrated;
 - (c) conduct any tests, take any samples and make any examinations that the officer considers necessary or advisable;
 - (d) take one or more persons to any place to assist the officer and may make arrangements with the person in charge of the place for those persons to re-enter the place to perform specified duties;
 - (e) require the production of, inspect and make copies of any books, records, papers or documents or of any entry in those books, records, papers or documents required to be kept by this Part or the regulations made pursuant to this Part;
 - (f) require the production of, inspect and make copies of any existing records related to training workers on matters related to radiation health and safety;
 - (g) subject to subsection (5), remove any books, records, papers or documents examined pursuant to this section for the purpose of making copies where a copy is not readily available, if a receipt is given;
 - (h) require any person whom the officer finds in or at a place of employment to provide the officer with any information the person has respecting the identity of the employer at that place of employment;
 - (i) require any person to provide the officer with all reasonable assistance, including using any computer hardware or software or any other data storage, processing or retrieval device or system to produce information;
 - (j) in order to produce information and records mentioned in this subsection, use any computer hardware or software or any other data storage, processing or retrieval device or system that is used by the person required to deliver the information and records.
- (4) A radiation health officer shall not enter a private dwelling without a warrant issued pursuant to section 5-18 unless the occupant of the dwelling consents to the entry.
- (5) A radiation health officer who removes any books, records, papers or documents pursuant to this section for the purpose of making copies shall:
- (a) make those copies as soon as is reasonably possible; and

(b) promptly return the books, records, papers or documents from which the copies were made to:

- (i) the place from which they were removed; or
- (ii) any other place that may be agreed to by the officer and the person who produced them.

2013, c.S-15.1, s.5-17.

Investigations

5-18(1) If a justice or a provincial court judge is satisfied by information under oath that there are reasonable grounds to believe that an offence against this Part or the regulations made pursuant to this Part has occurred and that evidence of that offence is likely to be found, the justice or the provincial court judge may issue a warrant to do all or any of the following:

- (a) enter and search any place or premises named in the warrant;
- (b) stop and search any vehicle described in the warrant;
- (c) seize and remove from any place, premises or vehicle searched anything that may be evidence of an offence against this Part or the regulations made pursuant to this Part;
- (d) carry out the activities listed in subsection (2).

(2) With a warrant issued pursuant to subsection (1), a radiation health officer may:

- (a) enter at any time and search any place or premises named in the warrant;
- (b) stop and search any vehicle described in the warrant;
- (c) open and examine the contents within any trunk, box, bag, parcel, closet, cupboard or other receptacle that the officer finds in the place, premises or vehicle;
- (d) require the production of and examine any records or property that the radiation health officer believes, on reasonable grounds, may contain information related to an offence against this Part or the regulations made pursuant to this Part;
- (e) remove, for the purpose of making copies, any records examined pursuant to this section;
- (f) require the use of any machinery, equipment, appliance or thing located at the place or premises to be demonstrated;
- (g) conduct any tests, take any samples and make any examinations that the officer considers necessary or advisable; and
- (h) seize and remove from any place or premises searched anything that may be evidence of an offence against this Part or the regulations made pursuant to this Part.

(3) Subject to subsection (4), a radiation health officer may exercise all or any of the powers mentioned in subsection (2) without a warrant issued pursuant to subsection (1) if:

- (a) the conditions for obtaining a warrant exist; and
- (b) the officer has reasonable grounds to believe that the delay necessary to obtain a warrant would result:
 - (i) in danger to human life or safety; or
 - (ii) in the loss, removal or destruction of evidence.

(4) A radiation health officer shall not enter any private dwelling without the consent of the occupant or a warrant issued pursuant to this section.

2013, c.S-15.1, s.5-18.

Powers of radiation health officer re repairs, alterations and servicing

5-19 If a radiation health officer finds a radiation installation, radiation equipment or associated apparatus that does not comply with this Part or the regulations made pursuant to this Part or that, in the officer's opinion, constitutes a hazard to any person, the officer may:

- (a) require the owner to carry out any repairs, alterations or servicing that the officer may specify and within any time that the officer may direct; or
- (b) prohibit the use of the installation, equipment or apparatus until:
 - (i) the repairs, alterations or servicing mentioned in clause (a) have been carried out;
 - (ii) an officer grants written permission; or
 - (iii) the repairs, alterations or servicing mentioned in clause (a) have been carried out and an officer grants written permission.

2013, c.S-15.1, s.5-19.

Services provided by minister

5-20 The minister may:

- (a) provide consulting services with respect to:
 - (i) radiation installations;
 - (ii) radiation equipment;
 - (iii) radiation protection; and
 - (iv) safety measures; and
- (b) provide special services, including instrument calibrations and leak testing of sealed radioactive sources.

2013, c.S-15.1, s.5-20.

Radiation Health and Safety Committee

5-21(1) Subject to subsection (2), the Radiation Health and Safety Committee is continued consisting of the following persons appointed by the minister:

- (a) a diagnostic radiologist nominated by The College of Physicians and Surgeons of Saskatchewan;
 - (b) a radiation oncologist nominated by The College of Physicians and Surgeons of Saskatchewan;
 - (c) a duly qualified medical practitioner nominated by The College of Physicians and Surgeons of Saskatchewan who, by reason of his or her being a specialist in pathology or internal medicine, has extensive knowledge of and training in haematology;
 - (d) a dentist or dental surgeon nominated by the College of Dental Surgeons of Saskatchewan;
 - (e) a medical radiation technologist nominated by the Saskatchewan Association of Medical Radiation Technologists;
 - (f) a veterinarian nominated by the Saskatchewan Veterinary Medical Association;
 - (g) a physicist experienced in radiation physics;
 - (h) a person with expertise in uranium radiation protection issues;
 - (i) one or more persons selected by the minister;
 - (j) the employee of the ministry responsible for supervising the provision of the services mentioned in section 5-20; and
 - (k) one radiation health officer.
- (2) The minister shall make reasonable efforts to appoint persons to the committee who are described in clauses (1)(a) to (h) but the absence of any of those persons does not impair the power of the other members of the committee to act.
- (3) A member of the committee holds office until a successor is appointed.
- (4) The committee shall:
- (a) advise the minister with respect to radiation health generally, safety measures and recommended codes of practice to be issued by the minister to every owner, operator and other person in Saskatchewan who may be exposed to radiation concerning radiation health, safety measures and the operation and use of radiation equipment and the use of radioactive substances;
 - (b) promote an educational program among all owners, operators, radiation workers and other persons who may be exposed to radiation respecting radiation dangers and the protection, in accordance with the practices recommended by the committee, of the health of owners, operators, radiation workers and other persons who may be exposed to radiation;
 - (c) give general direction and professional advice to radiation health officers, including direction and advice with respect to the standards to be observed by officers in approving plans for establishing radiation installations;

- (d) make recommendations respecting the acquisition, operation and use of radiation equipment and associated apparatus and the use of radioactive substances;
 - (e) advise the minister respecting the minimum age at which a person may be employed as a radiation worker in any occupation or category of occupations;
 - (f) advise the minister respecting conditions to protect the reproductive health of any category of persons, including the conditions under which persons of reproductive age may be radiation workers; and
 - (g) deal with any other matters relating to radiation health that the minister may refer to it.
- (5) Members of the committee are entitled to the following:
- (a) except for those members of the committee who are members of the public service of Saskatchewan, remuneration for their services at the rates approved by the minister;
 - (b) reimbursement for their expenses incurred in the performance of their responsibilities at rates approved for members of the public service.

2013, c.S-15.1, s.5-21.

Application of radiation

5-22(1) Nothing in this Part or the regulations made pursuant to this Part limits the kind or quantity of radiation that may be intentionally applied to a person for diagnostic or therapeutic purposes by or under the direction of a person qualified pursuant to an Act to provide persons with care and treatment by means of radiation equipment.

(2) Notwithstanding subsection (1), every operator of radiation equipment shall cause adequate precautions to be taken to ensure that no person is unnecessarily exposed to radiation.

2013, c.S-15.1, s.5-22.

Offence and penalty

5-23(1) No person shall:

- (a) fail to comply with an order or direction of a radiation health officer;
 - (b) fail to reasonably cooperate with a radiation health officer in the exercise of his or her powers or the performance of his or her duties; or
 - (c) contravene this Part or the regulations made pursuant to this Part.
- (2) Every person who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$100,000 and, in the case of a continuing offence, to a further fine of not more than \$15,000 for each day during which the offence continues.

2013, c.S-15.1, s.5-23.

Regulations for Part

5-24 The Lieutenant Governor in Council may make regulations:

- (a) generally for preventing impairment of the health of radiation workers and other persons by radiation;
- (b) respecting the minimum age at which a person may be a radiation worker in any particular occupation;
- (c) prescribing standards to be maintained to protect the reproductive health of any category of persons, including the conditions under which persons of reproductive age may be radiation workers;
- (d) prescribing the standards to be maintained for safety purposes in connection with the operation and use of radiation equipment and associated apparatus;
- (e) prescribing standards for the inspections to be made and other measures to be taken in connection with the operation and use of radiation equipment and associated apparatus;
- (f) prescribing conditions under which radiation equipment may be installed or used;
- (g) requiring the development and implementation of procedures manuals with respect to any radiation equipment or radiation installation;
- (h) requiring the classification and labelling of radiation equipment;
- (i) requiring the display of warning signs or other signs providing information about radiation health and safety;
- (j) prescribing exposure rates and dose limits for ionizing radiation to which any person or category of persons may be exposed;
- (k) providing for the monitoring and control of the exposure to or dose of radiation received by any person or category of persons;
- (l) classifying non-ionizing radiation equipment and forms of non-ionizing radiation;
- (m) prescribing exposure limits and exposure levels for any form of non-ionizing radiation to which any person or category of persons may be exposed;
- (n) requiring records to be kept by owners, operators and vendors, prescribing the periods during which records are to be kept and prescribing the nature of information to be recorded and authorizing the minister to determine the form in which those records must be kept;
- (o) exempting any radiation equipment or radiation installation, temporarily or permanently, from any or all of the provisions of this Part, conditionally or unconditionally;

- (p) for the purposes of subsections 5-4(2) and (3) and sections 5-8, 5-12 and 5-13, prescribing periods within which statements, itineraries, notices, information, plans or other things mentioned in those sections must be provided or submitted;
- (q) prescribing any matter or thing that is required or authorized by this Part to be prescribed in the regulations;
- (r) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Part.

2013, c.S-15.1, s.5-24.

Codes of practice

5-25(1) For the purpose of providing practical guidance with respect to the requirements of any provision of this Part or the regulations made pursuant to this Part, the minister may, after any consultation with the committee and any other interested persons or associations that the minister considers advisable:

- (a) issue any code of practice; and
 - (b) amend or repeal any code of practice issued pursuant to clause (a).
- (2) If a code of practice is issued, amended or repealed, the minister shall publish a notice in *The Saskatchewan Gazette* identifying the code of practice, specifying the provisions of this Part or the regulations made pursuant to this Part to which it relates and stating the effective date of the code of practice, amendment or repeal.
- (3) The failure by a person to observe any provision of a code of practice is not of itself an offence.
- (4) If a person is charged with a contravention of this Part or a regulation made pursuant to this Part with respect to which the minister has issued a code of practice, the code of practice is admissible as evidence in a prosecution for the contravention.
- (5) A copy of a code of practice or an amendment to a code of practice that is certified to be a true copy by the minister is admissible in evidence in any court without proof of the signature, appointment or authority of the minister.

2013, c.S-15.1, s.5-25.

Transitional

5-26(1) In this section, “**former Act**” means *The Radiation Health and Safety Act, 1985* as that Act existed on the day before the coming into force of this section.

- (2) A person who established his or her qualifications to a radiation health officer pursuant to clause 6(2)(h) of the former Act and who retained those qualifications until the day before the coming into force of this section remains qualified for the purpose of subsection 5-6(2) until a radiation health officer orders otherwise.
- (3) All orders that were issued by a radiation health officer pursuant to subsection 16(5) of the former Act that are in existence on the day before the coming into force of this section are continued and may be dealt with pursuant to this Part as if they had been issued pursuant to this Part.

- (4) All codes of practice that were issued by the minister pursuant to section 18.1 of the former Act that are in existence on the day before the coming into force of this section are continued and may be dealt with pursuant to this Part as if they had been issued pursuant to this Part.
- (5) The members of the committee immediately before the coming into force of this section are continued as members of the committee until new appointments are made pursuant to this Part.

2013, c.S-15.1, s.5-26.