

DEFINITION OF OWNER WITHIN THE POWER ENGINEERS, BOILER, PRESSURE VESSEL AND REFRIGERATION SAFETY REGULATION
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The following directive is being issued to clarify the definition of the term owner as it is used within the Power Engineers, Boiler, Pressure Vessel and Refrigeration Safety Regulation.

Specific Details

The term “owner” is defined within the Safety Standards Act as:

“**owner**” includes a lessee.

This definition allows for flexibility in the interpretation of the term as it is used throughout the regulations enacted under the Safety Standards Act. Accordingly, this directive specifies how that definition is to be interpreted when encountered throughout the Power Engineers, Boiler, Pressure Vessel and Refrigeration Safety Regulation.

In addition to the definition in section 1 of the Safety Standards Act, when the term “owner” is used in the Power Engineers, Boiler, Pressure Vessel and Refrigeration Safety Regulation and adopted codes, it shall mean:

“**owner**” means the person or persons:

Who have legal ownership of regulated equipment; or
Who have been designated as responsible for the equipment on behalf of the owner, either through a lease agreement or other formal contract, or through other mechanisms.

The intent is to clarify that the individual(s) responsible for the safe operation and maintenance of regulated equipment are those who have care and control of the equipment which may include, but is not limited to, a lessee, contracted facilities operator, property manager, or other designated responsible party.

This expanded definition addresses scenarios where the legal owner of the regulated equipment may have no operational oversight and/or technical expertise, however, has taken reasonable steps to ensure appropriately qualified and knowledgeable individuals have been engaged to maintain care and control of their equipment and operations. In all cases, to meet the definition of “owner”, the responsible party must have autonomy (financial, operational, administrative, etc.) to make decisions and to take appropriate measures to ensure the safety of the regulated equipment.

Provincial Safety Manager - Boilers, Pressure Vessels & Refrigeration

References:

Safety Standards Act
Safety Standards General Regulation
Power Engineers, Boiler, Pressure Vessel & Refrigeration Safety Regulation