

 <b>Electrical Safety Authority</b>	Regulatory Affairs Division	Ref. No.: OESC-01-07	Rev. No.: 0
	Director's Order	Date: October 1, 2007	Date:

## IN THE MATTER OF:

**THE *ELECTRICITY ACT, 1998***  
S.O. 1998, c. 15, Schedule A (the "Act")

- and -

### **ONTARIO REGULATION 164/99 (Electrical Safety Code) made under the Act**

**Subject:** Amendment to the Ontario Amendments to the Canadian Electrical Code Part I, C22.1-02 document

**Sent to:** Ontario Provincial Code Committee, OESC Bulletin Subscribers, Recognized Certification and Field Evaluation Agencies, and Posted on ESA's Web-Site

The Director, pursuant to subsection 113 (5) (a) of the *Electricity Act, 1998* hereby provides notice that the Amendments to the Canadian Electrical Code Part I, C22.1-02 Document published by the Electrical Safety Authority, dated December 15, 2006 and adopted by the Electrical Safety Code Regulation (Ontario Regulation 164/99) is further amended as follows:

- 1. Delete the definition of "accredited certification organization" and replace with:**  
"Accredited Certification Organization" – see definition for Certification Organization;
  
- 2. Add the following definition:**  
"Applicable standards" means standards of design, construction, testing and marking, as adopted by the Inspection Department;
  - (1) That are applied to electrical equipment by certification organizations, field evaluation agencies, professional engineers, or other competent persons who inspect, test and report upon electrical equipment; and
  - (2) That are intended to prevent exposure of persons and property to undue hazards;

**3. Add the following definition:**

“Certification Organization” means a “Certification Body” as defined in Ontario Regulation 438/07, and which means a body accredited in accordance with the *Standards Council of Canada Act (Canada)* to evaluate electrical equipment and recognized by the Inspection Department;

**4. Delete the definition of “electrical equipment” and replace with:**

“electrical equipment” means an “electrical product or device” as defined in subsection 113.12.1 of Part VIII of the *Electricity Act, 1998*, and means any thing used or to be used in the generation, transmission, distribution, retail or use of electricity;

**5. Add the following definition:**

“Field Evaluation Agency” means a “Field Evaluation Agency” as defined in Ontario Regulation 438/07, and which means an inspection body accredited in accordance with the *Standards Council of Canada Act (Canada)* to evaluate electrical equipment and recognized by the Inspection Department:

**6. Delete the definition of “testing organization”.**

**7. Delete the definition of “utilization equipment” and replace with:**

“Utilization Equipment” – see definition for Electrical Equipment;

**8. Delete Rule 2-020.**

**9. Delete Rule 2-022 and replace with:**

**2-022 Sale or Other Disposal and Use**

- (1) No person shall use, advertise, display, sell, offer for sale or other disposal any electrical equipment unless it has been approved in accordance with Ontario Regulation 438/07.
- (2) If a certification report or a field evaluation report in respect of any approved electrical equipment requires that a notice indicating the proper and safe manner of use of the electrical equipment be affixed to the electrical equipment or be provided with it, no person shall use, advertise, display, sell, offer for sale or other disposal of the electrical equipment without affixing or providing the notice in the manner required, as required by section 5 (3) of Ontario Regulation 438/07.
- (3) Despite subsection (1), electrical equipment does not require approval under Rule 2-024 or Ontario Regulation 438/07 if,
  - (a) it is displayed at a trade show or is activated in a demonstration of its use; and
  - (b) permission to display or activate it is given by the Inspection Department.

**10. Delete Rule 2-024 and replace with:**

**2-024 Approval of Electrical Equipment**

- (1) Electrical equipment is deemed to be approved if it has been approved according to the process set out in section 2 of Ontario Regulation 438/07.
- (2) No person shall affix to any electrical equipment an approval label that was not issued for that electrical equipment.

- (3) If electrical equipment that is used in or connected to an electrical installation is inspected as per Rule 2-004 by the Inspection Department, it is deemed to be approved if the installation and electrical equipment pass the inspection.

**11. Delete Rule 2-026 and replace with:  
2-026 Cancellation of Approval**

- (1) The Inspection Department may suspend, revoke or reinstate the approval of electrical equipment according to the process set out in subsection 6 of Ontario Regulation 438/07 and according to the Rules developed by the Inspection Department.
- (2) If an approval is suspended or revoked, the electrical equipment is deemed not to be approved.
- (3) The Inspection Department may require that notice be given to the public or any person or class of persons by the persons identified in section 9 of Ontario Regulation 438/07.

**12. Delete Rule 2-028 and replace with:  
2-028 Miscellaneous**

If electrical equipment consists of or incorporates a component or components that are deemed to be approved under this section, the electrical equipment is not deemed to be approved unless the whole electrical equipment as assembled is deemed to be approved according to the process set out in Rule 2-024 and section 2 of Ontario Regulation 438/07.

**13. Delete Rule 2-034 and replace with:  
2-034 Use of Approved Equipment**

No person shall use electrical equipment for any purpose or in any manner other than the purpose or manner for which it is intended.

**14. Delete Rule 2-102 and replace with:  
2-102 Rebuilt Equipment**

- (1) Where any electrical equipment is rebuilt or rewound with any change in its rating or characteristics, it shall be provided with a nameplate giving the name of the person or firm by whom such change was made together with the new marking.
- (2) Where the original nameplate is removed, the original manufacturer's name and any original identifying data, such as serial numbers, shall be added to the new nameplate.
- (3) The appropriate requirements of the appropriate standard applying to new electrical equipment shall also apply to rebuilt and rewound equipment unless it is impracticable to comply with such requirements.

**15. Delete Rule 3-000 and replace with:  
3-000 Scope**

This Section applies to the approvals of electrical equipment in accordance with Rule 2-024 and subsection 2 (2) of Ontario Regulation

438/07 and is supplementary to or amendatory of other requirements of this Code.

**16. This Order is effective on October 1, 2007.**

A handwritten signature in black ink, appearing to read "Peter Marcucci", written in a cursive style.

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Peter Marcucci  
Director, *Electrical Safety Act, 1998*