

The Radiation Health and Safety Act

being

Chapter R-1 of *The Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979).

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 R-1

An Act for the Protection of the Health of Persons exposed to Radiation and for the Safety of Persons in Connection with the Operation and Use of the Electrical and Mechanical Components of Radiation Producing Equipment and Associated Apparatus

SHORT TITLE

Short title

1 This Act may be cited as *The Radiation Health and Safety Act*.

R.S.S. 1978, c.R-1, s.1.

INTERPRETATION

Interpretation

2 In this Act:

“department”

(a) “**department**” means the Department of Labour.

“maximum permissible dose”

(b) “**maximum permissible dose**” means maximum permissible dose as defined by the regulations;

“minister”

(c) “**minister**” means the Minister of Labour;

“occupational worker”

(d) “**occupational worker**” means a person who, in the course of his duties or his business or professional activities, is regularly exposed to ionizing radiation emitted by radiation equipment;

“operator”

(e) “**operator**” means a person, group of persons, partnership, firm or corporation in control of the possession and use of a radiation installation or of radiation equipment, or both;

“radiation equipment”

(f) “**radiation equipment**” means a device capable of emitting ionizing radiation, but does not include:

(i) equipment operated at less than fifteen kilovolts and not designed principally to produce useful radiation; or

(ii) except in relation to the repair and servicing thereof, equipment operated normally at fifteen kilovolts or more but that by reason of the nature of its design does not, beyond any point up to which persons normally approach the equipment, emit radiation at a weekly rate higher than one-tenth of the maximum permissible dose per week for any part of the body exposed to such radiation;

(iii) equipment in storage, in transit or not being used, or equipment operated in such a manner that it cannot produce radiation; or

(iv) any radio-active substance;

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RADIATION HEALTH AND SAFETY

“radiation health”

(g) **“radiation health”** means the science and art of protecting persons from injury by radiation;

“radiation installation”

(h) **“radiation installation”** means the building or other place, or the part thereof, in which radiation equipment is manufactured, used, handled or tested;

“safety measures”

(i) **“safety measures”** means measures designed for the purposes of safety in connection with the operation and use of the electrical and mechanical components of radiation equipment and associated apparatus.

R.S.S. 1965, c.262, s.2; 1971, c.42, s.4; 1973, c.82, s.2; R.S.S. 1978, c.R-1, s.2.

RECORDING OF RADIATION INSTALLATIONS AND RADIATION EQUIPMENT

Duty of operators to furnish statements

3(1) Subject to subsection (2), every operator shall, within one month after the date on which any radiation installation or radiation equipment comes under his control or after the date on which any such installation or equipment under his control has been substantially altered, furnish the minister with a statement, in the form prescribed by him, setting forth particulars of the installation or equipment or the alteration, as the case may be.

(2) In the case of a radiation installation of a temporary nature and the radiation equipment connected therewith the statement required by subsection (1) may be furnished before the date on which the radiation equipment comes under the control of the operator but if it is not furnished before that date it shall be furnished not later than three days thereafter.

(3) During the month of January in each year every operator shall furnish the minister with a statement, in the form prescribed by him, setting forth particulars of all radiation installations and radiation equipment then under his control.

R.S.S. 1965, c.262, s.3; R.S.S. 1978, c.R-1, s.3.

MANUFACTURE, USE, ETC., OF RADIATION EQUIPMENT AND
INSTALLATIONS**Manner of manufacture, use, etc.**

4 All radiation equipment shall be manufactured, used, handled and tested in such manner that no person will be unnecessarily exposed to ionizing radiation therefrom, and that no person in the vicinity of the equipment other than a patient or occupational worker will be exposed to ionizing radiation therefrom in excess of one-tenth of the maximum permissible dose.

R.S.S. 1965, c.262, s.4; R.S.S. 1978, c.R-1, s.4.

Prohibition respecting establishment and alteration of radiation installations

5(1) No person shall:

- (a) establish a radiation installation for any purpose; or
- (b) make any substantial alteration in any radiation installation;

unless a plan of a proposed installation or a plan of the proposed alteration, as the case may be, has first been submitted to and approved by the minister.

(2) The minister shall not approve a plan submitted under subsection (1) unless he is satisfied that the installation will be so constructed or altered, as the case may be, and so maintained and operated that it will not create a danger to the health of any person.

R.S.S. 1965, c.262, s.5; 1973, c.82, s.3; R.S.S. 1978, c.R-1, s.5.

Operation of radiation installation or equipment by unqualified persons prohibited

6 No person shall control the possession or use of a radiation installation or of any radiation equipment unless:

- (a) he is qualified under an Act to provide persons with care and treatment by means of radiation equipment or, in the case of a radiation installation and of radiation equipment not being used for diagnosis or treatment relating to persons, he is considered by the minister to be competent to assume control of the installation and equipment;
- (b) he is entitled to practise veterinary medicine by reason of his being registered under *The Veterinarians Act*;
- (c) he employs at least one person qualified as mentioned in clause (a) or considered under clause (a) to be competent, to attend to the operation of the installation or equipment;
- (d) he employs one or more persons who are X-ray technicians registered under *The X-ray Technicians Act*, and members in good standing of the Saskatchewan Society of X-ray Technicians, to attend to the operation of the installation of equipment and provides adequate supervision of such person or persons by a person qualified as mentioned in clause (a) or considered under clause (a) to be competent; or
- (e) he employs one or more persons to attend to the operation of the installation or equipment who have been trained to carry out the purposes for which it is intended that the radiation equipment shall be used by them, and provides adequate supervision of such person or persons by a person qualified as mentioned in clause (a) or considered under clause (a) to be competent.

R.S.S. 1965, c.262, s.6; R.S.S. 1978, c.R-1, s.6.

Use of certain fluoroscopes prohibited

7 No person shall use a fluoroscope as an aid in selling foot-wear to any person, or have control of a fluoroscope intended for such use, in any place other than the office of a person qualified as mentioned in clause (a) of section 6.

R.S.S. 1965, c. 262, s.7; R.S.S. 1978, c.R-1, s.7.

CONSULTATIVE AND ADVISORY STAFF

Power to appoint

8 The minister may appoint one or more officers of the department for the purpose of providing consultative services with respect to radiation installations and the operation of radiation equipment and equipment capable of emitting non-iodizing radiation and for the purpose of advising operators, occupational workers and other persons who may be exposed to radiation with respect to radiation health generally and safety measures.

1971, c.42, s.5; R.S.S. 1978, c.R-1, s.8.

RADIATION HEALTH AND SAFETY COMMITTEE

Appointment of members duties, etc.

9(1) The Radiation Health and Safety Committee is continued and shall consist of the following persons appointed by the minister:

- (a) a diagnostic radiologist nominated by The College of Physicians and Surgeons of the Province of Saskatchewan;
- (b) a therapeutic radiologist nominated by The College of Physicians and Surgeons of the Province of Saskatchewan;
- (c) a duly qualified medical practitioner nominated by The College of Physicians and Surgeons of the Province of Saskatchewan who, by reason of his being a specialist in pathology or internal medicine, has extensive knowledge of and training in haematology;
- (d) a physicist experienced in radiation physics;
- (e) one or more persons selected by the minister;
- (f) the officer of the department responsible for the supervising of the provision of the consultative services mentioned in section 8; and
- (g) one of the officers of the department appointed for the purpose of providing the consultative services mentioned in section 8.

(2) The committee shall:

- (a) advise the minister with respect to radiation health generally and safety measures and codes of recommended practice to be issued by him to every 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 operators, occupational 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 operators, occupational workers and other persons who may be exposed to radiation;

- (c) give general direction and professional advice to officers appointed under section 10 including such direction and advice with respect to the standards to be observed by the officers in making recommendations respecting plans for establishing radiation installations and the acquisition, operation and use of radiation equipment and associated apparatus and the use of radioactive substances;
 - (d) advise the minister respecting the minimum age at which a person may be employed as an occupational worker in any particular occupation;
 - (e) advise the minister respecting the conditions under which a female person in the reproductive age and capable of becoming pregnant may be employed as an occupational worker;
 - (f) review the professional qualifications and experience of persons applying for appointment as officers under section 8 and make recommendations to the minister respecting those persons;
 - (g) where deemed advisable, request the minister to furnish such financial and other assistance as he may consider reasonable in the circumstances to enable an occupational worker who has been exposed to ionizing radiation in excess of the maximum permissible dose to undergo one or more medical examinations;
 - (h) deal with such other matters relating to radiological health as the minister may refer to it.
- (3) The members of the committee shall receive such remuneration as the Lieutenant Governor in Council may determine.

R.S.S. 1965, c.262, s.10; 1970, c.83, s.4; 1971, c.42, s.7; 1973, c.82, s.4; R.S.S. 1978, c.R-1, s.9.

MISCELLANEOUS

Application of radiation not limited by Act

10(1) Nothing in this Act or the regulations 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 under an Act to provide persons with care and treatment by means of radiation equipment.

(2) Notwithstanding subsection (1), every operator shall cause adequate precautions to be taken to ensure that persons being treated are not unnecessarily exposed to ionizing radiation.

R.S.S. 1965, c.262, s.11; R.S.S. 1978, c.R-1, s.10.

Regulations

11 After consultation with the Radiation Health and Safety Committee, the minister may, subject to the approval of the Lieutenant Governor in Council, make regulations:

- (a) defining maximum permissible dose;
- (b) generally for preventing impairment of the health of occupational workers and other persons by radiation;
- (c) respecting the minimum age at which a person may be employed as an occupational worker in any particular occupation;

- (d) prescribing the conditions under which a female person in the reproductive age and capable of becoming pregnant may be employed as an occupational worker;
- (e) prescribing the standards to be maintained for safety purposes in connection with the operation and use of the electrical and mechanical components of radiation equipment and associated apparatus;
- (f) prescribing the inspections to be made and other measures to be taken in connection with the operation and use of the electrical and mechanical components of radiation equipment and associated apparatus.

R.S.S. 1965, c.262, s.12; 1970, c.83, s.5; 1971, c.42, s.8; R.S.S. 1978, c.R-1, s.11.

Penalty

12 A person who violates or fails to comply with any provision of this Act or the regulations is guilty of an offence and liable on summary conviction to a fine of not less than \$50 nor more than \$300 and in the case of a continuing offence to a further fine of not less than \$25 nor more than \$50 for each day during which the offence continues.

R.S.S. 1965, c.262, s.13; R.S.S. 1978, c.R-1, s.12.

The Crown bound

13 The Crown is bound by this Act.

R.S.S. 1965, c.262, s.14; R.S.S. 1978, c.R-1, s.13.