

## Consultation Document – Proposed Amendments to the *Explosives Regulations, 2013*

#	Current Provision	Proposed Amendments	Rationale	Comments
<b>PART 1 – Introduction</b>				
1	<b>4 (10)</b> Parts 10 to 15 set out the requirements for the acquisition, storage and sale of the following types of explosives: (f) model and high power rocket motors – Part 15.	Amend paragraph 4(10)(f) to replace “model and high power rocket motors – Part 15” with “model, high power and advanced high power rocket motors – Part 15.”	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	No Comment
2	<b>6 (3)</b> The following definitions apply in these Regulations.	Amend subsection 6(3) to add the following new definition:  <b>law enforcement agency</b> means a police force established for a province, municipality or region, the Royal Canadian Mounted Police, the Correctional Service of Canada, or the Canada Border Services Agency. (organisme d’application de la loi)	This proposed amendment supports the policy intent of removing the definition of “law enforcement agency” from Part 10 per the proposed amendment to section 205 in item #94 of this consultation document and adding an updated definition of “law enforcement agency” to Part 1 to ensure the definition applies throughout the Regulations.  The updated definition is intended to clarify the entities that are covered by the term “police force” in the original definition.	No Comment
3	<b>6 (3)</b> The following definitions apply in these Regulations.  <b>vulnerable place</b> refers to (a) any building in which people live, work or assemble; (b) public roads, railways and other transportation infrastructure;	Amend subsection 6(3) to clarify that “vulnerable place” refers to: - Any building or place in which people live, work or assemble, - Public roads and pathways, railways and other transportation infrastructure,	This proposed amendment is intended to capture underground manufacturing in the definition of “vulnerable place” to support the proposed amendment in item #48 of this consultation document to reclassify underground manufacturing activities from Division 3 to Division 1 of Part 5.	This definition needs to align with the definitions in the 2910-510 standard. Please detail the change that captures “underground manufacturing”. Currently the change is adding the following. - pathways - energy infrastructure

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	(c) pipelines and energy transmission lines; and (d) any place where a substance that increases the likelihood of a fire or explosion is likely to be stored. ( <i>lieu vulnérable</i> )	<ul style="list-style-type: none"> <li>- Pipelines, energy transmission lines, energy infrastructure and communication infrastructure, and</li> <li>- Any place where a substance that increases the likelihood of a fire or explosion is likely to be stored.</li> </ul>		<ul style="list-style-type: none"> <li>- communication infrastructure</li> </ul> <p>There needs to be a distinction made regarding critical, vulnerable infrastructure vs non-critical, vulnerable infrastructure</p>
<b>PART 3 – Authorization and Classification of Explosives</b>				
4	<p><b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized:</p> <p>(a) the manufacture of up to 1 kg of explosives to be used in conducting an experiment, demonstration, test or analysis at a school, college, university or other learning institution;</p>	<p>Amend paragraph (a) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized:</p> <ul style="list-style-type: none"> <li>- The manufacture of up to 1 kg of explosives to be used in conducting an experiment, demonstration, test or analysis at a school, college, university or other learning institution, and if necessary, the possession or storage of those explosives.</li> </ul>	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	No Comment
5	<p><b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized:</p> <p>(b) the manufacture of up to 5 kg of explosives to be used in conducting an experiment, demonstration, test or analysis by a government or law enforcement agency;</p>	<p>Amend paragraph (b) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized:</p> <ul style="list-style-type: none"> <li>- The manufacture of up to 5 kg of explosives to be used in conducting an experiment, demonstration, test or analysis by a government or law enforcement agency, and if necessary, the possession or storage of those explosives.</li> </ul>	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	No Comment
6	<p><b>25</b> Despite section 11, the following *activities involving an explosive may</p>	Amend paragraph (c) of section 25 to clarify that the following activities involving an	This proposed amendment is intended to clarify the activities involving an explosive	No Comment

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	be carried out even though the *explosives are not authorized: (c) the manufacture of up to 5 kg of explosives to be used in conducting an experiment, test or analysis at a private or commercial laboratory;	explosive may be carried out even though the explosives are not authorized: - The manufacture of up to 5 kg of explosives to be used in conducting an experiment, test or analysis at a private or commercial laboratory, and if necessary, the possession or storage of those explosives.	that may be carried out even though the explosives are not authorized.	
7	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (d) the manufacture of black powder charges for ceremonial use;	Amend paragraph (d) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized: - The manufacture of black powder charges for ceremonial use, and if necessary, the possession or storage of those black powder charges.	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	No Comment
8	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (e) the manufacture of * small arms cartridges or black powder cartouches for personal use;	Amend paragraph (e) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized: - The manufacture of small arms cartridges or black powder cartouches for personal use, and if necessary, the possession, storage, transportation or delivery of those small arms cartridges or black powder cartouches.	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	No Comment
9	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (f) the assembly and use of special purpose pyrotechnics, as defined in section 361;	Amend paragraph (f) of section 25 to replace the term “assembly and use” with “assembly, possession and use.”	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	No Comment

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10	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (g) the sending of a sample of an explosive to the Chief Inspector of Explosives, at his or her request, for authorization testing;	Amend paragraph (g) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized: - The sending of a sample of an explosive to the Chief Inspector of Explosives, at his or her request, for authorization testing, and if necessary, the possession, importation, transportation, delivery or storage of that sample.	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	<a href="#">No Comment</a>
11	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (h) the importation of an explosive, if the conditions set out in section 45 are met;	Amend paragraph (h) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized: - The importation of an explosive, if the conditions set out in sections 45 or 45.1 are met, and if necessary, the possession, delivery, storage or transportation of that explosive.	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	<a href="#">No Comment</a>
12	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (i) the exportation of an explosive, if the conditions set out in section 45 are met; and	Amend paragraph (i) of section 25 to replace the term “exportation” with “exportation, possession, delivery, storage and transportation.”	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	<a href="#">No Comment</a>
13	<b>25</b> Despite section 11, the following *activities involving an explosive may be carried out even though the *explosives are not authorized: (j) the transportation in transit of an explosive.	Amend paragraph (j) of section 25 to clarify that the following activities involving an explosive may be carried out even though the explosives are not authorized: - The transportation in transit of an explosive, and if necessary, the	This proposed amendment is intended to clarify the activities involving an explosive that may be carried out even though the explosives are not authorized.	<a href="#">No Comment</a>

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		transportation, possession, storage or delivery of that explosive.		
14	<b>36</b> (2) Each authorized explosive is classified according to its intended use as one of the following types: (g) R — rocket motors: (i) R.1 — model rocket motors, (ii) R.2 — high-power rocket motors, (iii) R.3 — rocket motor accessories; or	Amend paragraph 36(2)(g) to add the following new category of R – rocket motors: - R.4 — advanced high-power rocket motors.	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	No Comment
<b>PART 4 – Importing and Exporting Explosives and Transporting Explosives in Transit</b>				
15	<b>45 TABLE</b> Column 2 – Item 1 6	Amend Column 2 of Item 1 in the Table in section 45 to replace “6” with “40.”	This proposed amendment supports the policy intent of allowing up to 40 model rocket motors to be imported into Canada without a permit, as well as exported and transported in transit without a permit.	No Comment
<b>PART 5 – Manufacturing Explosives</b>				
Division 1: Manufacturing Explosives under a Division 1 Factory Licence or a Satellite Site Certificate				
16	<b>55</b> The following definitions relating to sites and authorizations apply in this Division.  <i>client site</i> means a blast site at which a mobile process unit is used to manufacture *explosives away from a factory or satellite site. ( <i>site client</i> )	Amend section 55 to replace the definition of “client site” with the following definition:  <i>client site</i> means - a blast site at which a mobile process unit is used to manufacture explosives away from a factory or satellite site, or	The proposed amendments are intended to modernize the requirements for point-of-use manufacturing of perforating guns.	Suggest the following definition: <i>"Client Site" means a blast site ..... away from a factory or satellite site, or A point of use site where explosives are manufactured on a property that is under the control, lease, or ownership of a customer.</i>  Due to the provincial regulatory changes, it will be crucial to define

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		- a point of use site where perforating guns are manufactured.		"assembly" versus "loading" or "manufacturing"
17	<b>60</b> (2) The application must include the following documents: (a) a factory site and area plan or a satellite site and area plan that shows (i) the topography of the site,	Amend paragraph 60(2)(a) to remove sub-paragraph (i).	This proposed amendment is intended to remove a requirement that is not needed as part of the application.	This is a positive change that removes non-value-added application requirement.
18	<b>60</b> (4) If the manufacture of explosives is to be carried out at a client site, the application must include the following information: (a) the name, address, telephone number, fax number and email address of a contact person at the client site; (b) a description of the client site; (c) the distance in kilometres between the factory and the client site; and (d) the distance in kilometres between any satellite site and the client site.	Amend subsection 60(4) to clarify that if the manufacture of explosives, other than perforating guns, is to be carried out at a client site, the application must include the information in paragraphs 60(4)(a) to (d).	The proposed amendments are intended to modernize the requirements for point-of-use manufacturing of perforating guns.	Is this information is needed for point-of-use manufacturing of perforating guns? If yes: - Does the application need to be submitted for each point of use event?  - How detailed/exact does the description need to be for subsection (b) a description of the client site?
19	<b>60</b> (4) If the manufacture of explosives is to be carried out at a client site, the application must include the following information: (b) a description of the client site;	Amend paragraph 60(4)(b) to clarify that if the manufacture of explosives is to be carried out at a client site, the application must include the following information:	This proposed amendment is intended to enhance safety by supporting the proposed amendments to section 99 in item #28 of this consultation document to ensure acceptable distance requirements are in place for mobile	Need clarification as NRCan's proposed amendment and rationale statement seems to contradict each other regarding the submission of information: "application must include the following information: Except at a

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		<ul style="list-style-type: none"><li>- Except at a mine site or quarry, a description of the client site, including:<ul style="list-style-type: none"><li>o An area plan that shows each vulnerable place within the client site, and</li><li>o The distance in metres between each vulnerable place and each mobile process unit.</li></ul></li></ul>	<p>process units (MPUs) at client sites other than mine sites or quarries. This proposed amendment is based in part on the wording in sub-paragraph 60(2)(a)(vii) of the Regulations.</p> <p>NRCan’s current policy on applying acceptable distances at mines and quarries would not change as a result of this proposed amendment, but the information would be required to be submitted to NRCan.</p>	<p>mine site or quarry” vs “NRCan’s current policy ..... But the information would be required to be submitted to NRCan.</p>
20	<p><b>60</b> (6) The application must include the following information about manufacturing operations:</p> <p>(f) the minimum distance in metres that must be maintained between each process unit, factory magazine and raw material storage facility and each vulnerable place shown on the area plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time.</p>	<p>Amend paragraph 60(6)(f) to clarify that the application must include the following information about the manufacturing operations:</p> <ul style="list-style-type: none"><li>- The distance in metres between each process unit, factory magazine and raw material storage facility and each vulnerable place shown on the area plan.</li></ul>	<p>This proposed amendment is intended to clarify that the minimum distances in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time do not always necessarily need to be met, provided that an acceptable distance as determined by the Minister is met. The policy intent is for the application to include the distance in metres that must be maintained between each process unit, factory magazine.</p>	<p>This is a positive change as it allows for some flexibility in deviating from the 2910-510 standard.</p> <p>How would this apply to perforating guns? Are they exempt from this requirement if they meet GLF (Gun Loading Facility) requirements?</p>

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21	<p><b>60</b> (6) The application must include the following information about manufacturing operations:</p> <p>(a) a description of the operations to be carried out in each process unit and factory magazine;</p> <p>(b) a description of the explosives, and of any other thing that is flammable, that is liable to spontaneously combust or that is otherwise dangerous, that will be stored in each process unit, factory magazine, raw material storage facility, building and structure;</p> <p>(c) the results of a quantified risk assessment or hazard operability review of any manufacturing operation to be used to manufacture an explosive if that operation has not previously been used in Canada to manufacture that explosive;</p> <p>(d) the maximum quantity of explosives and raw material that will be in each process unit, factory magazine, raw material storage facility, building and structure at any one time;</p>	<p>Amend subsection 60(6) to add a new requirement that the application must include the following information about manufacturing operations:</p> <ul style="list-style-type: none"><li>- For each magazine at the site, the applicable magazine type number, as set out in the National Standard of Canada Standard CAN/BNQ 2910–500/2015 entitled <i>Explosives — Magazines for Industrial Explosives</i>, as amended from time to time, or, if the magazine does not correspond to any of those types, its specifications, including its construction materials and its safety and security features.</li></ul>	<p>This proposed amendment is intended to align with Part 6 requirements for magazine licences and would enshrine in the Regulations a requirement to provide information that is currently requested by NRCan as part of the application process for a Division 1 factory licence.</p>	<p>This is duplication of effort as this information is included in form F05-01B.</p> <p>Revise f) to align with the change in line item #20 above.</p> <p>How would this apply to perforating guns? Are they exempt from this requirement if they meet GLF (Gun Loading Facility) requirements?</p>



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	(e) the maximum number of people who will be in each process unit, factory magazine, raw material storage facility, building and structure at any one time; and (f) the minimum distance in metres that must be maintained between each process unit, factory magazine and raw material storage facility and each vulnerable place shown on the area plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time.			
22	<b>60</b> (8) The application must include a list of the following documents, along with the dates on which they were made and the dates of any amendments: (a) any environmental assessment of the factory, satellite site or client site or of the operations to be carried out there;	Amend paragraph 60(8)(a) to replace “any environmental assessment” with “any Indigenous engagement or environmental assessment.”	This proposed amendment supports the policy intent of including Indigenous consultation as part of the application process for new Division 1 factory licences.	<p>The vast majority of mining / quarrying client sites do not have ESA’s or FN engagement documents. Where they do exist, the documents have already been provided by the site owner to various government departments.</p> <p>Pipeline, road construction and perforating work is typically done for clients who have already conducted environmental assessments and</p>

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				<p>engaged with Indigenous communities for the project.</p> <p>Obtaining access to and being responsible for the details of these assessments and engagements, such as the level of involvement and parties involved, is beyond the scope of any third-party subcontractor.</p> <p>This information is already provided to other government departments by the clients in order to get project approval. If these documents are needed by ERD why not make an interdepartmental request within the government?</p>
23	<p><b>67</b> (1) On the approach of and during a thunderstorm, the following procedures must be followed:</p> <ul style="list-style-type: none"><li>(a) all manufacturing operations in a process unit that can be safely shut down must be shut down;</li><li>(b) all entrances to any factory magazine containing *explosives must be closed;</li><li>(c) any transport unit containing explosives must be immediately moved to an isolated safe place; and</li><li>(d) all people at the factory or satellite site must be immediately moved to a safe place and, until the storm</li></ul>	<p>Amend subsection 67(1) to add an exception from the requirements in paragraphs (a) to (d) for activities underground at an underground mine or underground construction project.</p>	<p>This proposed amendment is intended to support the proposed amendment in item #48 of this consultation document to reclassify underground manufacturing activities from Division 3 to Division 1 of Part 5. Underground manufacturing activities are unlikely to be affected by thunderstorms.</p>	<p>More discussion is required regarding the effect of lightning storms on underground operations.</p> <p>What is the provincial regulators stance on this?</p>

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	passes, must not be permitted to return.			
24	<b>70</b> A sign that warns against unauthorized entry must be posted at each entrance to a factory or satellite site in a clearly visible location. The sign must also warn of danger from *explosives and indicate the precautions that must be taken to eliminate the possibility of an accidental ignition.	Amend section 70 to clarify that as many signs warning against unauthorized entry as necessary to be visible to anyone approaching a factory or satellite site must be posted on the perimeter of a factory or satellite site, including a sign at each entrance to a factory or satellite site. Each sign must describe the precautions that must be taken to minimize the possibility of an accidental ignition, and unless the sign could adversely impact security by attracting unwanted attention, each sign must warn of danger from explosives.	The policy intent for this proposed amendment is to update section 70 to be more flexible and performance based.	<a href="#">How is this “performance based”?</a>  <a href="#">It is not practical to identify these hazards for Gun Loading Facilities (GLF’s) as they are located on secure sites with orientation requirements.</a> .
25	<b>74</b> (1) The following information must be displayed on each *explosive that is manufactured at the factory or satellite site: (a) the name and address of the person who obtained the explosive’s authorization; (b) either the date of its *manufacture and the shift during which it was manufactured, if any, or its lot number; (c) its *product name; and (d) instructions, in both English and French, for its safe handling, storage, use and destruction.  (2) The information must be	Amend section 74 to add a requirement that every deteriorated, expired or misfired explosive must be clearly marked “Deteriorated/Détérioré” or “Expired/Périmé” or “Misfired/Raté,” as the case may be.	The policy intent for this proposed amendment is to ensure that the requirements for marking deteriorated, expired or misfired explosives are consistent in Parts 5 and 6 of the Regulations. This proposed amendment to section 74 is based on the wording of subsection 160(2) of Part 6 of the Regulations.	<a href="#">CEAEC interprets this as meaning the marking would be as per 74 (2) a) and b) only.</a>

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	<p>(a) legibly printed on the explosive;</p> <p>(b) legibly printed on a label affixed to the explosive, if it is not possible to comply with paragraph (a);</p> <p>(c) contained in a barcode or matrix code that is printed on the explosive, or on a label affixed to it, and can be read by a device that is available to the general public (for example, a smartphone), if it is not possible to comply with paragraphs (a) and (b); or</p> <p>(d) legibly printed on the packaging containing the explosive or on a label affixed to the packaging, if it is not possible to comply with paragraphs (a) to (c).</p> <p>(3) The following information must be legibly printed on the packaging, or on a label affixed to the packaging, of the explosive:</p> <p>(a) the words “Ammunition/Munitions”, “Explosives/Explosifs”, “Fireworks/Pièces pyrotechniques”, “Pyrotechnics/Pièces</p>			

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	<p>pyrotechniques” or “Rocket Motors/ Moteurs de fusée”, as the case may be, on the outer packaging and any inner packaging;</p> <p>(b) the product name of the explosive and the name and address of the person who obtained its authorization, on the outer packaging;</p> <p>(c) in the case of a type F explosive, whether it is type F.1, F.2, F.3 or F.4, on the outer packaging; and</p> <p>(d) in the case of a type S explosive, whether it is type S.1 or S.2, on the outer packaging.</p> <p>(4) The manufacturer’s division 1 factory licence number must be printed in a legible and permanent manner on the outer packaging of every industrial explosive.</p>			
26	<b>82</b> (1) Every employee must be trained to carry out their duties at the factory or a satellite site in a safe and lawful manner. The training must be given by a competent person.	Amend subsection 82(1) to replace “competent person” with “person deemed competent by the licence holder.”	This proposed amendment is intended to provide flexibility to allow the licence holder to use trainers who are not employees of the company.	<a href="#">This is a positive change that supports industry best practice.</a>
27	<b>95</b> (1) A mobile process unit must be cleaned if it will not be used, or has	Amend section 95 to remove subsection (1).	This proposed amendment supports the policy intent of modernizing the	<a href="#">This is a positive change. It removes the need for unnecessary cleaning /</a>

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	not been used, for 30 consecutive days.		Regulations by removing unnecessary requirements.	decontamination which has a negative environmental impact.
28	<p><b>99</b> (1) A mobile process unit may be used to *manufacture *explosives at a client site, but only if the unit and the site are both specified in the division 1 factory licence or satellite site certificate.</p> <p>(2) All manufacturing operations at a client site must be carried out by a competent person.</p> <p>(3) Before manufacturing operations begin, every one at the client site must be informed of the precautions that must be taken while dewatering, driving over loaded boreholes, handling charging hose and carrying out charging operations.</p> <p>(4) Any thing or activity that could increase the likelihood of an accidental ignition must not be allowed within 15 m of a mobile process unit and its charging hose.</p> <p>(5) A person must not be permitted to be within 15 m of a mobile process unit and its charging hose while the unit is operating if there are reasonable grounds to believe that the person is under the influence of or</p>	<p>Amend section 99 to add the following new requirements, except at a mine site or quarry:</p> <ul style="list-style-type: none"> <li>- Every mobile process unit manufacturing explosives at a client site must be located at an acceptable distance from surrounding structures and infrastructure and from places where people are likely to be present, and</li> <li>- Acceptable distance is determined by the Minister on the basis of risk of harm to people or property, taking into account the quantity and type of explosives that are to be manufactured, the raw material to be used, the manufacturing operations to be carried out, the strength, proximity and use of surrounding structures and infrastructure and the number of people likely to be in the vicinity of the mobile process unit, magazine or facility.</li> </ul>	<p>This proposed amendment is intended to enshrine current NRCan policies on safety at client sites other than mine sites or quarries in the Regulations rather than including them in the terms and conditions for each and every licence. This proposed amendment is based in part on the wording in subsections 63(1) and (2) of the Regulations.</p>	<p>This is a positive addition as it removes the confusing statement currently displayed in the T&amp;C's of the division 1 license.</p> <p>This also supports the changes in line #19.</p> <p>However, clarification is needed regarding QDs for MPUs not at mines and quarries e.g. pipelines, roadwork.</p>

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	<p>is carrying alcohol or another performance-diminishing substance. A person who has taken a prescription drug may be permitted to enter the area if they have medical proof that the drug is needed and will not impede their ability to function safely.</p> <p>(6) A person must not be permitted to smoke within 15 m of a mobile process unit and its charging hose.</p> <p>(7) On the approach of a thunderstorm, if a mobile process unit is at the surface at a client site, all manufacturing operations in the unit must be shut down and all people in the vicinity of the unit must be immediately moved to a safe place. Until the storm passes, the operations must remain shut down and the people must not be permitted to return to the vicinity of the unit.</p>			
29	<p><b>99</b> (7) On the approach of a thunderstorm, if a mobile process unit is at the surface at a client site, all manufacturing operations in the unit must be shut down and all people in the vicinity of the unit must be immediately moved to a safe place. Until the storm passes, the operations must remain shut down and the</p>	<p>Amend subsection 99(7) to replace “the unit” with “the mobile process unit.”</p>	<p>This proposed amendment is intended to clarify the language used for this requirement.</p>	<p>This is a good change as it provides needed clarity</p>

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	people must not be permitted to return to the vicinity of the unit.			
30	<b>99</b> (3) Before manufacturing operations begin, every one at the client site must be informed of the precautions that must be taken while dewatering, driving over loaded boreholes, handling charging hose and carrying out charging operations.	Amend the English version of paragraph 99(3) to replace “every one” with “everyone.”	This proposed amendment is intended to correct a typo.	No comment
31	<b>NEW</b>	<p>Add a new requirement to Subdivision C of Division 1 of Part 5 to allow perforating guns to be manufactured at a client site, provided that the manufacturing is operationally necessary and that the following requirements are met:</p> <ul style="list-style-type: none"> <li>- The assembly of any perforating guns must be performed by a competent person,</li> <li>- The assembly of any perforating guns must take place away from any property and areas where other people are present so that the risk of harm to people and property is as low as reasonably practicable,</li> <li>- The number of people present during the assembly of any perforating guns must be kept to the minimum required for the safe assembly of those perforating guns, and</li> <li>- The assembly of any perforating guns at the client site must not significantly increase the risk of harm to people and property compared to the</li> </ul>	These proposed amendments are intended to modernize the requirements for point-of-use manufacturing of perforating guns.	<p>Suggest replacing “competent person” with “person deemed competent by Licence Holder” This will maintain continuity with the proposed amendment to Section 82(1) in point 26 above.</p> <p>Consistency is required on the definitions of “assembly” versus “loading” or “manufacturing”.</p>



#	Current Provision	Proposed Amendments	Rationale	Comments
		assembly of those perforating guns at a factory site.		
32	<b>NEW</b>	Amend Division 1 of Part 5 of the Regulations to add a new requirement that all magazines for type E and type I explosives must be monitored via physical or electronic means that the Minister determines as acceptable based on security risks at the licensed site, unless otherwise specified on the licence.	<p>This requirement is currently included in the terms and conditions for all Division 1 and 2 factory licences issued under Part 5 of the Regulations and for all magazine licences. As this is a permanent requirement that applies to all of those types of licences, the policy intent for this proposed amendment is to enshrine this requirement in the Regulations in Divisions 1 and 2 of Part 5 and in Part 6 rather than including it in the terms and conditions for each and every licence.</p> <p>An NRCan policy would set out the physical or electronic means that the Minister determines as acceptable.</p>	Clarification is needed as to how “the Minister determines as acceptable based on security risks at the licensed site”.
Division 2: Manufacturing Explosives under a Division 2 Factory Licence or a Manufacturing Certificate				
33	<b>107</b> (1) A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: (a) in the case of the owner of a surface mine or quarry, the blending of ammonium nitrate and fuel oil at a blast site at the mine or quarry;	Amend subsection 107(1) to remove paragraph (a).	This proposed amendment is intended to remove an unnecessary requirement.	No comment
34	<b>107</b> (1) A holder of a division 2 factory licence or manufacturing certificate	Amend paragraph 107(1)(b) to replace “in bulk” with “in containers.”	This proposed amendment is intended to clarify the terminology used in this	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: (b) the manufacture of *small arms cartridges for sale, and the storage of up to 225 kg of *explosives contained in the cartridges and up to 75 kg of propellant powder in bulk to be used in manufacturing the cartridges;		paragraph to ensure it is consistent with similar terminology used in Part 14 of the Regulations.	
35	<b>107</b> (1) A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: (b) the manufacture of *small arms cartridges for sale, and the storage of up to 225 kg of *explosives contained in the cartridges and up to 75 kg of propellant powder in bulk to be used in manufacturing the cartridges;	Amend paragraph 107(1)(b) to replace “the manufacture of small arms cartridges for sale” with “the manufacture of small arms cartridges for sale, including small arms cartridges authorized as type D explosives.”	This proposed amendment is intended to clarify that all small arms cartridges that are type D explosives fall under Division 2 of Part 5 of the Regulations.	No comment
36	<b>107</b> (1) A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate:	Amend paragraph 107(1)(i) to replace “preparation and storage” with “assembly, packaging and storage.”	This proposed amendment is intended to clarify the activities related to display fireworks that may be carried out at a location other than the site of the display by a holder of a division 2 factory licence or manufacturing certificate.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(i) the preparation and storage of display fireworks at a location other than the site of the display;			
37	<b>107 (1)</b> A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: (j) the mixing of non-explosive components for the purpose of manufacturing *industrial explosives at the site where they will be used;	Amend paragraph 107(1)(j) to clarify that a holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: - The non-mechanical mixing of non-explosive components for the purpose of manufacturing industrial explosives at the site where they will be used.	This proposed amendment is intended to clarify the activities related to the mixing of non-explosive components that are permitted to be carried out by a holder of a division 2 factory licence or manufacturing certificate.	No comment
38	<b>107 (1)</b> A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: (k) the preparation and packaging of assortments of explosives for the purpose of sale by a person who does not hold a vendor magazine licence; or	Amend subsection 107(1) to remove paragraph (k).	This proposed amendment is intended to remove unnecessary and outdated language from the Regulations.	No comment  CEAEC understands the removal of subsection (k) will not affect the sale of pre-built perforating guns
39	<b>107 (1)</b> A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate:	Amend paragraph 107(1)(l) to replace “the manufacture and storage of explosives (for example, assembling a net-throwing device for sale, re-packing deteriorated explosives or destroying explosives)” with “destroying	This proposed amendment is intended to remove unnecessary and outdated language from the Regulations. This proposed amendment is also intended to improve clarity regarding the intent of Division 2 licences.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(I) any other activity relating to the manufacture and storage of explosives (for example, assembling a net-throwing device for sale, re-packing deteriorated explosives or destroying explosives).	explosives other than type D, E or I explosives.”		
40	<b>107</b> (1) A holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate:	Amend subsection 107(1) to add a new requirement that a holder of a division 2 factory licence or manufacturing certificate may carry out those of the following activities that are specified in the licence or certificate at a workplace specified in the licence or certificate: <ul style="list-style-type: none"> <li>- The manufacture of multi-ingredient kits, including reactive target kits, and the storage of the kits.</li> </ul>	This proposed amendment is intended to add the manufacture and storage of reactive targets to the activities that are permitted to be carried out by a holder of a division 2 factory licence or manufacturing certificate.	No comment
41	<b>108</b> (2) A holder of a division 2 factory licence or manufacturing certificate that authorizes the storage of an explosive must comply with the terms and conditions of the licence or certificate. The holder must also comply with the provisions that apply to storage in Parts 10 to 18. However, they are not required to comply with those provisions if the explosive is stored at the workplace.	Amend section 108 to remove subsection (2) and replace it with the following new requirements: <ul style="list-style-type: none"> <li>- A holder of a Division 2 licence or manufacturing certificate must ensure that: <ul style="list-style-type: none"> <li>o Every workplace and magazine must be constructed and maintained so that it is well-ventilated and resistant to theft, weather and fire; and</li> <li>o Every workplace and magazine must be located at an acceptable distance from</li> </ul> </li> </ul>	This requirement is currently included in the terms and conditions for all Division 2 licences and manufacturing certificates issued under Part 5 of the Regulations. As this is a permanent requirement that applies to all of those licences and certificates, the policy intent for this proposed amendment is to enshrine this requirement in the Regulations rather than including it in the terms and conditions for each and every Division 2 licence and manufacturing certificate.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<p>surrounding structures and infrastructure and from places where people are likely to be present.</p> <ul style="list-style-type: none"><li>- Acceptable distance is determined by the Minister on the basis of risk of harm to people or property, taking into account the quantity and type of explosives that are to be manufactured, the raw material to be used, the manufacturing operations to be carried out, the strength, proximity and use of surrounding structures and infrastructure and the number of people likely to be in the vicinity of the unit, magazine or facility.</li></ul>		
42	<b>109</b> (2) The application must include a site plan that shows (b) the topography of any outdoor area included in the workplace;	Amend subsection 109(2) to remove paragraph (b).	This proposed amendment is intended to remove a requirement that is not needed as part of the site plan for the application.	<a href="#">CEAEC understands this to be part of the division 1 revision</a>
43	<b>109</b> (2) The application must include a site plan that shows (a) the location of the workplace within any building or structure; (b) the topography of any outdoor area included in the workplace; (c) the location of the barriers and equipment described in paragraphs (1)(d) and (e); and	Amend subsection 109(2) to add a new requirement that the application must include a site plan that shows the geographical coordinates of any outdoor area included in the workplace.	This proposed amendment would enshrine in the Regulations a requirement to provide information that is currently requested by NRCan as part of the application process for a Division 1 factory licence.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	(d) the distance in metres between the barriers and equipment described in paragraphs (1)(d) and (e). (e) the location of the workplace within the locality; (f) the area surrounding the site that is exposed to the hazards (for example, debris or blast effect) that could result from an ignition of the explosives to be manufactured or stored at the site; (g) each *vulnerable place within that area; and (h) the distance in metres between the workplace and each vulnerable place.			
44	<b>109</b> (2) The application must include a site plan that shows (c) the location of the barriers and equipment described in paragraphs (1)(d) and (e); and	Amend the English version of paragraph 109(2)(c) to remove the “and.”	This proposed amendment is intended to correct a typo.	No comment
45	<b>109</b> (2) The application must include a site plan that shows (d) the distance in metres between the barriers and equipment described in paragraphs (1)(d) and (e).	Amend the English version of paragraph 109(2)(d) to replace the period at the end of the paragraph with a semi-colon.	This proposed amendment is intended to correct a typo.	No comment
46	<b>NEW</b>	Amend Division 2 of Part 5 of the Regulations to add a new requirement that all magazines for type E and type I explosives must be	This requirement is currently included in the terms and conditions for all Division 1 and 2 factory licences issued under Part 5	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		monitored via physical or electronic means that the Minister determines as acceptable based on security risks at the licensed site, unless otherwise specified on the licence.	<p>of the Regulations and for all magazine licences. As this is a permanent requirement that applies to all of those types of licences, the policy intent for this proposed amendment is to enshrine this requirement in the Regulations in Divisions 1 and 2 of Part 5 and in Part 6 rather than including it in the terms and conditions for each and every licence.</p> <p>An NRCan policy would set out the physical or electronic means that the Minister determines as acceptable.</p>	
Division 3: Manufacturing that Does Not Require a Licence or Certificate				
47	<p><b>135</b> (1) A person who complies with subsection (2) may assemble *explosives by combining *explosive articles (for example, a detonator with a booster, a detonating cord with an explosive cartridge or fireworks with fireworks accessories) at the place where the explosives will be used.</p> <p>(2) The person who carries out the activity must ensure that the following requirements are met:</p> <p>(a) the explosive articles must be on the list of authorized explosives referred to in subsection 41(1);</p> <p>(b) the explosive articles must not be altered, except that</p>	<p>Amend section 135 to list the assembly of avalanche tower deployment boxes as a Division 3 activity and to add the following new requirement that a person who complies with the following requirements may assemble avalanche tower deployment boxes:</p> <ul style="list-style-type: none"><li>- Deployment boxes must be assembled immediately prior to being transported to the avalanche tower,</li><li>- Assembly of deployment boxes must be done as close to the avalanche tower site as practically possible, and</li><li>- Assembly of deployment boxes must be done according to industry best practices.</li></ul>	<p>This proposed amendment supports the policy intent to modernize the Regulations and would formalize current operational processes.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	cartridges may be cut or slit and detonating cord and fuses may be cut or trimmed; and (c) precautions that minimize the likelihood of an accidental ignition must be taken.			
48	<p><b>136</b> (1) A person who complies with subsection (2) may carry out any of the following activities underground at an underground mine or underground construction project:</p> <p>(a) pneumatically transferring *explosives;</p> <p>(b) pumping, thickening or gassing either emulsion explosives or water gel explosives while charging boreholes; or</p> <p>(c) blending emulsion explosives or water gel explosives with ammonium nitrate or ammonium nitrate/fuel oil mixtures while charging boreholes.</p> <p>(2) The person who carries out the activity must ensure that the following requirements are met:</p> <p>(a) the explosives must be on the list of authorized explosives referred to in subsection 41(1);</p>	Amend Division 3 of Part 5 to remove section 136.	This proposed amendment would reclassify underground manufacturing activities from manufacturing that does not require a licence or certificate to manufacturing that requires a Division 1 factory licence or satellite site certificate, which better reflects the risk of underground manufacturing activities. Removing section 136 from Division 3 would result in these underground manufacturing activities being covered under Division 1.	<p>CEAEC is <u>not in agreement</u> with the removal of 136</p> <p>This would place all underground operations in non-compliance.</p> <p>Changes to underground manufacturing must be conducted in a <u>phased approach</u>.</p> <p>Suggestions,</p> <p>Establish a list of current underground operations / best practices, including underground equipment, equipment maintenance, bulk explosives storage and transfer, manufacturer processes, product sensitization etc.</p> <p>Using the list prioritize practices that require ERD oversight / licensing.</p> <p>Perhaps start with the identification and licensing of underground pumping units, similar to the form F05-MPU.</p> <p>Questions,</p> <p>Please detail ERD's position on the license holder, would it be the mine operator or the explosives provider?</p>



#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(b) the equipment used to pump, thicken, gas or blend emulsion explosives or water gel explosives must be designed to minimize the likelihood of an ignition, including an ignition resulting from pumping against a blocked outlet or from running the pump without any feed;</p> <p>(c) all progressive cavity pumps must be equipped with at least two independent safety shutdown systems to prevent an excessive rise in temperature;</p> <p>(d) if the person is assisted by another person, the other person must be trained to operate the equipment;</p> <p>(e) a preventive maintenance procedure must be put in place for the equipment, including the pumps;</p> <p>(f) maintenance must be performed by workers who are knowledgeable about the equipment to be maintained; and</p> <p>(g) precautions that minimize the likelihood of an ignition must be taken.</p>			<p>How is Q/D to be applied to underground operations?</p> <p>How would this regulatory change align with provincial / territorial regulations?</p> <p>What resources / training does ERD intend to put in place to implement this?</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
<b>PART 6 – Magazine Licences and Storage in a Licensed Magazine</b>				
49	<b>144</b> The following definitions apply in this Part.	<p>Amend section 144 to add the following definitions:</p> <p><b>drop-ship licence</b> means a subtype of vendor magazine licence that is issued under paragraph 7(1)(a) of the <i>Explosives Act</i> and authorizes the acquisition of explosives for sale, for the purpose of explosives order fulfillment.</p> <p><b>main licence holder</b> means a holder of a factory licence, vendor magazine licence, or user magazine licence who may permit shared licence holders to store explosives in the main licence holder’s magazine.</p> <p><b>shared licence</b> means a subtype of user magazine licence or vendor magazine licence that is issued under paragraph 7(1)(a) of the <i>Explosives Act</i> and authorizes the storage of explosives in the magazine or magazines of a main licence holder.</p>	These proposed amendments are intended to formalize existing practices by enshrining these licence types, which are currently issued through the terms and conditions for licences, in the Regulations.	<p>CEAEC sees this a positive change. The additional definitions align with current practices.</p> <p>Please provide details on the use of the “drop-ship licence”.</p>
50	<b>145 (1)</b> An applicant for a magazine licence must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must state whether a	Amend subsection 145(1) to replace “a vendor magazine licence, a user magazine licence or a user magazine zone licence” with “a vendor magazine licence, a user magazine licence, a user magazine zone licence, a shared licence or a drop-ship licence.”	This proposed amendment supports the proposed amendments to section 144 in item #49 of this consultation document to create new definitions of “shared licence” and “drop-ship licence” by adding both licence types to the list of	This aligns with item #49 above.

#	Current Provision	Proposed Amendments	Rationale	Comments
	vendor magazine licence, a user magazine licence or a user magazine zone licence is requested and must include the following information:		licences which can be applied for per subsection 145(1).	
51	<p><b>145 (3)</b> The application must include the following information about the site:</p> <p>(d) the minimum distance in metres that must be maintained between each magazine at the site and each vulnerable place shown on the site plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time;</p>	<p>Amend paragraph 145(3)(d) to clarify that the application must include the following information about the site:</p> <ul style="list-style-type: none"> <li>- The distance in metres between each magazine at the site and each vulnerable place shown on the area plan.</li> </ul>	<p>This proposed amendment is intended to clarify that the minimum distances in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time do not always necessarily need to be met, provided that an acceptable distance as determined by the Minister is met. The policy intent is for the application to include the distance in metres that must be maintained between each process unit, factory magazine.</p>	<p><a href="#">How does this align with eLMS.</a></p>
52	<p><b>145 (4)</b> The application must include a fire safety plan that sets out</p> <p>(a) the measures to be taken to minimize the likelihood of a fire at the site and to control the spread of any fire;</p> <p>(b) the emergency procedures to be followed in case of a fire, including</p> <p>(i) activation of the alarms,</p> <p>(ii) notification of the fire department, and</p> <p>(iii) evacuation procedures, including</p>	<p>Amend subsection 145(4) to add the following to the list of information that the fire safety plan sets out:</p> <ul style="list-style-type: none"> <li>- The name, address, telephone number and email address of the applicant, including, if applicable, the company name for the magazine site for the fire safety plan,</li> <li>- The name, address, telephone number and email address of the person responsible for the fire safety plan, if that person is not the applicant, and</li> </ul>	<p>These proposed amendments support the policy intent of clarifying the requirements respecting fire safety plans.</p>	<p><a href="#">This information is already included in Sections 145 (1) and (2) of the application.</a></p> <p><a href="#">This is non-value-added duplication .</a></p>

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>evacuation routes and safe assembly places;</p> <p>(c) the circumstances in which a fire should or should not be fought and a procedure for determining whether a fire should be fought; and</p> <p>(d) the measures to be taken to train employees in the measures, procedures and circumstances described in the plan.</p>	<ul style="list-style-type: none"> <li>- The address and geographical coordinates of the magazine site for the fire safety plan.</li> </ul>		
53	<b>145</b> (9) If the application is for a user magazine zone licence, the requirements of subsections (1) to (8) apply to the initial magazine site.	Amend section 145 to remove subsection (9).	This proposed amendment is intended to clarify the application requirements for user magazine zone licences.	No comment
54	<p><b>145</b> (1) An applicant for a magazine licence must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must state whether a vendor magazine licence, a user magazine licence or a user magazine zone licence is requested and must include the following information:</p> <p>(a) the name, address, telephone number, fax number and email address of both the applicant and a contact person;</p>	<p>Amend section 145 to add the following new requirement that an application for a shared licence must include the following information:</p> <ul style="list-style-type: none"> <li>- The address of each magazine site in which the shared licence holder's explosives may be stored,</li> <li>- The description of each magazine site as per the main licence,</li> <li>- The identification number of each magazine in which the shared license holder's explosives will be stored,</li> <li>- The types of explosives that the shared licence holder may store, and</li> </ul>	This proposed amendment supports the proposed amendment to section 144 in item #49 of this consultation document to create a new definition of "shared licence" by listing the specific application requirements for shared licences.	Please clarify the requirement for "The description of each magazine site as per the main licence".

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(b) the address and geographical coordinates of the magazine site; (c) the number of magazines for which the licence is requested; (d) the quantity of each type of *explosive to be stored in each magazine; (e) if the application is for a vendor magazine licence, an indication of whether the site will be a retail establishment or a distribution establishment; and (f) if the site will be a distribution establishment, an indication of whether explosives will be repackaged there.</p> <p>(2) The application must include the following documents:     (a) a plan of the magazine site that shows         (i) the location of each magazine and each *vulnerable place at the site as well as the location of each vulnerable place outside the site that is exposed to the</p>	<p>- The maximum quantity of each type of explosive that the shared licence holder may store.</p>		

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site, and (ii) the distance in metres between each magazine at the site, between each magazine and each vulnerable place at the site as well as between each magazine at the site and each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site; and</p> <p>(b) if one or more magazines occupies only a part of a building or structure, a drawing that shows the location of each magazine in the building or structure and the location of each entrance to and exit from the room or area in which each magazine</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>is located and to which the public has access.</p> <p>(3) The application must include the following information about the site:</p> <p>(a) a description of the proposed use of the site and the proposed use of each building and structure at the site;</p> <p>(b) the distance in metres between each magazine and any potential source of ignition at the site;</p> <p>(c) the distance in metres between each magazine at the site, between each magazine and each vulnerable place at the site as well as between each magazine at the site and each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site;</p> <p>(d) the minimum distance in metres that must be maintained between each magazine at the site and each vulnerable place shown on the site plan, as set out in the</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time;</p> <p>(e) a description of the safety and security features of the site (for example, signs, alarm systems, barriers, fencing and berms); and</p> <p>(f) for each magazine at the site,</p> <p>(i) the tag number, if any, issued by the Explosives Regulatory Division, Department of Natural Resources,</p> <p>(ii) the applicable magazine type number, as set out in the National Standard of Canada Standard CAN/BNQ 2910–500/2015 entitled <i>Explosives — Magazines for Industrial Explosives</i>, as amended from time to time or, if the magazine does not correspond to any of those types, its specifications,</p>			



#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>including its construction materials and its safety and security features, and (iii) its internal dimensions (length, width and height) in metres to the nearest 0.1 m.</p> <p>(4) The application must include a fire safety plan that sets out</p> <p>(a) the measures to be taken to minimize the likelihood of a fire at the site and to control the spread of any fire;</p> <p>(b) the emergency procedures to be followed in case of a fire, including</p> <p>(i) activation of the alarms,</p> <p>(ii) notification of the fire department, and</p> <p>(iii) evacuation procedures, including evacuation routes and safe assembly places;</p> <p>(c) the circumstances in which a fire should or should not be fought and a procedure for determining whether a fire should be fought; and</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(d) the measures to be taken to train employees in the measures, procedures and circumstances described in the plan.</p> <p>(5) If type E, I or D explosives are to be stored at the site, the application must include a security plan that includes</p> <ul style="list-style-type: none"><li>(a) an assessment of the security risks resulting from the presence of explosives at the site;</li><li>(b) a description of the measures to be taken to minimize those risks;</li><li>(c) a description of the procedures to be followed in response to security incidents; and</li><li>(d) a description of the procedures to be followed to report security incidents.</li></ul> <p>(6) If the site is a distribution establishment at which marine flares (type S.1 or S.2) are to be stored, the application must include a plan for destroying expired marine flares that are returned to the site. The plan must set out where and how the</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>marine flares will be stored and destroyed.</p> <p>(7) Every magazine and vulnerable place that is shown on a site plan must be identified by a number, letter or distinctive name, which must be used to identify the magazine or vulnerable place on the site plan and in the site description.</p> <p>(8) Every drawing or plan must be drawn to scale or be a reasonable approximation of actual distances and dimensions and must include a legend.</p> <p>(9) If the application is for a user magazine zone licence, the requirements of subsections (1) to (8) apply to the initial magazine site.</p> <p>(10) An applicant for a magazine licence must pay the applicable fees set out in Part 19.</p>			
55	<p><b>145</b> (1) An applicant for a magazine licence must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must state whether a vendor magazine licence, a user magazine licence or a user magazine</p>	<p>Amend section 145 to add the following new requirement that an application for a drop-ship licence must include the following information:</p> <ul style="list-style-type: none"><li>- The types of explosives that the holder of a drop-ship licence may acquire and sell.</li></ul>	<p>This proposed amendment supports the proposed amendment to section 144 in item #49 of this consultation document to create a new definition of “drop-ship licence” by listing the specific application requirements for drop-ship licences.</p>	<p>No comment</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>zone licence is requested and must include the following information:</p> <ul style="list-style-type: none"><li>(a) the name, address, telephone number, fax number and email address of both the applicant and a contact person;</li><li>(b) the address and geographical coordinates of the magazine site;</li><li>(c) the number of magazines for which the licence is requested;</li><li>(d) the quantity of each type of *explosive to be stored in each magazine;</li><li>(e) if the application is for a vendor magazine licence, an indication of whether the site will be a retail establishment or a distribution establishment; and</li><li>(f) if the site will be a distribution establishment, an indication of whether explosives will be repackaged there.</li></ul> <p>(2) The application must include the following documents:</p> <ul style="list-style-type: none"><li>(a) a plan of the magazine site that shows</li></ul>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	(i) the location of each magazine and each *vulnerable place at the site as well as the location of each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site, and (ii) the distance in metres between each magazine at the site, between each magazine and each vulnerable place at the site as well as between each magazine at the site and each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site; and			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(b) if one or more magazines occupies only a part of a building or structure, a drawing that shows the location of each magazine in the building or structure and the location of each entrance to and exit from the room or area in which each magazine is located and to which the public has access.</p> <p>(3) The application must include the following information about the site:</p> <p>(a) a description of the proposed use of the site and the proposed use of each building and structure at the site;</p> <p>(b) the distance in metres between each magazine and any potential source of ignition at the site;</p> <p>(c) the distance in metres between each magazine at the site, between each magazine and each vulnerable place at the site as well as between each magazine at the site and each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>effect) that could result from ignition of the explosives to be stored at the site;</p> <p>(d) the minimum distance in metres that must be maintained between each magazine at the site and each vulnerable place shown on the site plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i> as amended from time to time;</p> <p>(e) a description of the safety and security features of the site (for example, signs, alarm systems, barriers, fencing and berms); and</p> <p>(f) for each magazine at the site,</p> <p>(i) the tag number, if any, issued by the Explosives Regulatory Division, Department of Natural Resources,</p> <p>(ii) the applicable magazine type number, as set out in the National Standard of Canada Standard CAN/BNQ 2910–500/2015 entitled</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p><i>Explosives — Magazines for Industrial Explosives,</i> as amended from time to time or, if the magazine does not correspond to any of those types, its specifications, including its construction materials and its safety and security features, and (iii) its internal dimensions (length, width and height) in metres to the nearest 0.1 m.</p> <p>(4) The application must include a fire safety plan that sets out     (a) the measures to be taken         to minimize the likelihood of a         fire at the site and to control         the spread of any fire;     (b) the emergency procedures         to be followed in case of a         fire, including         (i) activation of the             alarms,         (ii) notification of the             fire department, and         (iii) evacuation</p>			



#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>procedures, including evacuation routes and safe assembly places;</p> <p>(c) the circumstances in which a fire should or should not be fought and a procedure for determining whether a fire should be fought; and</p> <p>(d) the measures to be taken to train employees in the measures, procedures and circumstances described in the plan.</p> <p>(5) If type E, I or D explosives are to be stored at the site, the application must include a security plan that includes</p> <p>(a) an assessment of the security risks resulting from the presence of explosives at the site;</p> <p>(b) a description of the measures to be taken to minimize those risks;</p> <p>(c) a description of the procedures to be followed in response to security incidents; and</p> <p>(d) a description of the procedures to be followed to report security incidents.</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(6) If the site is a distribution establishment at which marine flares (type S.1 or S.2) are to be stored, the application must include a plan for destroying expired marine flares that are returned to the site. The plan must set out where and how the marine flares will be stored and destroyed.</p> <p>(7) Every magazine and vulnerable place that is shown on a site plan must be identified by a number, letter or distinctive name, which must be used to identify the magazine or vulnerable place on the site plan and in the site description.</p> <p>(8) Every drawing or plan must be drawn to scale or be a reasonable approximation of actual distances and dimensions and must include a legend.</p> <p>(9) If the application is for a user magazine zone licence, the requirements of subsections (1) to (8) apply to the initial magazine site.</p> <p>(10) An applicant for a magazine licence must pay the applicable fees set out in Part 19.</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
56	<b>146</b> Holders of a magazine licence must ensure that the requirements of sections 147 to 160 are met and that the people referred to in section 161 are aware of their obligations under that section.	Amend section 146 to replace “magazine licence” with “user magazine licence, vendor magazine licence or user magazine zone licence.”	This proposed amendment clarifies the licence types to which sections 147 to 161 apply.	<a href="#">No comment</a>
57	<b>147 (2)</b> In the case of a vendor magazine licence and a user magazine licence, acceptable distance is determined by the Minister on the basis of risk of harm to people or property, taking into account the quantity and type of *explosives to be stored in the magazine, the strength, proximity and use of surrounding structures and infrastructure and the number of people likely to be in the vicinity of the magazine at any one time.	Amend subsection 147(2) to remove “In the case of a vendor magazine licence and a user magazine licence.”	This proposed amendment is intended to align the requirements for all licence types under the same language. The policy intent for this proposed amendment is for subsection 147(2) to apply to all licence types.	<a href="#">No comment</a>
58	<b>147 (3)</b> In the case of a user magazine zone licence, acceptable distance is the minimum distance in metres to be maintained between each magazine at the site and each vulnerable place shown on the site plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910-510/2015 entitled <i>Explosives – Quantity Distances</i> as amended from time to time.	Amend section 147 to remove subsection (3).	This proposed amendment is intended to align the requirements for all licence types under the same language.	<a href="#">No comment</a>
59	<b>148</b> Every magazine must be constructed and maintained so that it is well-ventilated and resistant to	Amend section 148 to remove the sentence “A magazine for the storage of *explosives that are classified as hazard category PE 1 must	These proposed amendments are intended to prevent having to state conditions on licences to specify when	<a href="#">CEAEC see this as a positive change</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	theft, weather and fire. A magazine for the storage of *explosives that are classified as hazard category PE 1 must also be bullet-resistant, unless the magazine licence specifies otherwise.	also be bullet-resistant, unless the magazine licence specifies otherwise” and to add a new requirement that every magazine must be constructed and maintained to conform to good engineering practices and to ensure that it is well-ventilated and resistant to theft, weather and fire.	magazines do not have to be resistant to bullets, while ensuring that every magazine conforms to good engineering practices for design, construction and installation.	
60	<b>NEW</b>	Amend Part 6 to add a new requirement for holders of magazine licences to post as many signs on the perimeter of a magazine site for types D, E or I explosives as necessary to be visible to anyone approaching the perimeter of the magazine site, including a sign at all entrances to the magazine site in clearly visible locations, that warn against unauthorized entry to the magazine site. Each sign must describe the precautions that must be taken to minimize the possibility of an accidental ignition, and unless the sign could adversely impact security by attracting unwanted attention, each sign must warn of danger from explosives.	The policy intent for this proposed amendment is to enshrine these updated signage requirements in the Regulations as permanent requirements for all magazine licence holders, rather than including them in the terms and conditions for each individual licence. The proposed new requirement is consistent with the requirement for similar sites licenced under Division 1 of Part 5 of the Regulations and is based on the wording in section 70.	<a href="#">This aligns with line item #24</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
61	<b>154</b> (1) A copy of the fire safety plan included in the licence application must be sent to the local fire department and made available to employees.	Amend subsection 154(1) to clarify that the magazine licence holder must: <ul style="list-style-type: none"> <li>- Notify the local fire department that explosives are present on site, and that a copy of the fire safety plan is available to them,</li> <li>- If requested by the local fire department, send a copy of the current fire safety plan to the local fire department, and</li> <li>- Ensure employees are aware of the content of the current fire safety plan and make available to employees a copy of the current fire safety plan.</li> </ul>	These proposed amendments support the policy intent of clarifying the requirements respecting fire safety plans.	<a href="#">This is a positive change and reflects current best practice of CEAC membership.</a>
62	<b>154</b> (2) The plan must be updated to reflect any change in circumstances that could adversely affect the safety of the site. A copy of the updated plan must be sent to the local fire department as soon as the circumstances permit.	Amend the second sentence of subsection 154(2) to remove “A copy of the updated plan must be sent to the local fire department as soon as the circumstances permit” and to clarify a copy of the updated fire safety plan must be sent to everyone to whom previous versions had been sent as soon as the circumstances permit.	These proposed amendments support the policy intent of clarifying the requirements respecting fire safety plans.	<a href="#">Aligns with line item 60 above.</a>
63	<b>162</b> (1) When the storage of explosives that is authorized by a user magazine zone licence is moved to a new site, within 24 hours after the move the holder of the licence must complete, sign and send a notice of change of site, in the form provided by the Department of Natural	Amend Part 6 to remove section 162.	This proposed amendment supports the policy intent to clarify and modernize the Regulations by eliminating redundancies and aligning the requirements for all licence types under the same language.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>Resources, to the Minister, to the police force in the locality of the previous site and to the police force in the locality of the new site. The notice must be dated and include the following information:</p> <ul style="list-style-type: none"><li>(a) the name, address, telephone and cellphone number, fax number and email address of both the licence holder and a contact person;</li><li>(b) the holder's licence number and its expiry date;</li><li>(c) the name, telephone number and cellphone number of the person who is responsible for the new site;</li><li>(d) the date on which the storage of explosives began at the new site;</li><li>(e) the geographic coordinates of the previous and new sites;</li><li>(f) the directions by road to the new site;</li><li>(g) the safety and security features of the new site (for example, signs, alarm systems, barriers, fencing and berms); and</li><li>(h) a list of the magazines to</li></ul>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>be used at the new site that sets out</p> <p>(i) in the case of a magazine that has been moved, its number, letter or distinctive name as shown on the previous site plan,</p> <p>(ii) its tag number, if any,</p> <p>(iii) the applicable magazine type number, as set out in the National Standard of Canada Standard CAN/BNQ 2910–500/2015 entitled <i>Explosives — Magazines for Industrial Explosives</i>, as amended from time to time, and</p> <p>(iv) each type of *explosive, and the quantity of each type, to be stored.</p> <p>(2) The notice must include a site plan that shows</p> <p>(a) the location of each magazine and each</p>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>*vulnerable place at the site as well as the location of each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored;</p> <p>(b) the distance in metres between each magazine at the site, between each magazine and each vulnerable place at the site as well as between each magazine at the site and each vulnerable place outside the site that is exposed to the hazards (for example, debris or blast effect) that could result from ignition of the explosives to be stored at the site; and</p> <p>(c) the minimum distance in metres to be maintained between each magazine at the site and each vulnerable place shown on the site plan, as set out in the National Standard of Canada Standard CAN/BNQ 2910–510/2015 entitled <i>Explosives — Quantity Distances</i>, as amended from time to time.</p>			



#	Current Provision	Proposed Amendments	Rationale	Comments
64	<b>163</b> The holder must ensure that a copy of the user magazine zone licence and of the notice are posted in each magazine.	Amend Part 6 to remove section 163.	This proposed amendment supports the policy intent to clarify and modernize the Regulations by eliminating redundancies and aligning the requirements for all licence types under the same language.	No comment
65	<b>NEW</b>	Amend Part 6 to add the following new requirements that a holder of a shared licence: <ul style="list-style-type: none"> <li>- Must maintain a written agreement with the main licence holder described in the shared licence signed by both parties allowing the shared licence holder to store explosives in the magazine(s) described in the shared licence, and</li> <li>- May only access a magazine described in the shared licence when an authorized representative of the main licence holder is present.</li> </ul>	This proposed amendment supports the proposed amendment to section 144 in item #49 of this consultation document to create a new definition of “shared licence” by listing the specific requirements for holders of shared licences.	How will this impact magazine farms, where there is more than one standalone license holder? Specifically, the requirement “May only access a magazine described in the shared licence when an authorized representative of the <u>main licence holder is present</u> ”.
66	<b>NEW</b>	Amend Part 6 to add the following new requirements that a main licence holder, in addition to the requirements for their factory, vendor, or user magazine licence: <ul style="list-style-type: none"> <li>- Must maintain a written agreement with the shared licence holder signed by both parties allowing them to store explosives in the magazine(s) described in the shared licence, and</li> <li>- May only allow the shared licence holder to access the magazine(s) described in the shared licence when an authorized representative of the main licence holder is present.</li> </ul>	This proposed amendment supports the proposed amendment to section 144 in item #49 of this consultation document to create a new definition of “main licence holder” by listing the specific requirements for main licence holders.	As per comment line item 65.

#	Current Provision	Proposed Amendments	Rationale	Comments
67	<b>NEW</b>	Amend Part 6 to add the following new requirements for that a holder of a drop-ship licence: <ul style="list-style-type: none"><li>- May acquire and sell the explosives described in the drop-ship licence.</li></ul>	This proposed amendment supports the proposed amendment to section 144 in item #49 of this consultation document to create a new definition of “drop-ship licence” by listing the specific requirements for holders of drop-ship licences.	No comment
68	<b>NEW</b>	Amend Part 6 of the Regulations to add a new requirement that all magazines for type E and type I explosives must be monitored via physical or electronic means that the Minister determines as acceptable based on security risks at the licensed site, unless otherwise specified on the licence.	<p>This requirement is currently included in the terms and conditions for all Division 1 and 2 factory licences issued under Part 5 of the Regulations and for all magazine licences. As this is a permanent requirement that applies to all of those types of licences, the policy intent for this proposed amendment is to enshrine this requirement in the Regulations in Divisions 1 and 2 of Part 5 and in Part 6 rather than including it in the terms and conditions for each and every licence.</p> <p>An NRCan policy would set out the physical or electronic means that the Minister determines as acceptable.</p>	As per our comment above, how will the minister determine the security risk, what will qualify as acceptable and how often will this be reviewed?
69	<b>NEW</b>	Amend Part 6 to add a new requirement to exempt remote avalanche towers from requiring storage licences, provided the following requirements are met: <ul style="list-style-type: none"><li>- The avalanche tower must not be easily accessible by the public, and</li></ul>	This proposed amendment supports the policy intent to modernize the Regulations and would formalize current operational processes.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		- The explosives must be deployed according to the explosive industry best practices.		
<b>PART 7 – Provisions of General Application</b>				
70	<b>169</b> (1) Before decommissioning a factory, a holder of a division 1 factory licence must send a written decommissioning plan to the Minister.	Amend subsection 169(1) to replace “a factory” with “a factory or satellite site.”	The policy intent for this proposed amendment is to ensure satellite sites are captured by subsection 169(1).	<a href="#">Will ERD publish a guideline on decommissioning plans?</a>
71	<b>169</b> (2) Before decommissioning a workplace or magazine, a holder of a division 2 factory licence, a magazine licence or a manufacturing certificate must send a written decommissioning plan to the Minister if the workplace or magazine contains any *explosive residue.	Amend the English version of subsection 2 to replace “decommissioning plan” with “decommissioning plan.”	This proposed amendment is intended to correct a typo in the English version of subsection 169(2).	<a href="#">No comment</a>
72	<b>169</b> (5) The holder must implement the decommissioning plan and ensure that the factory, workplace or magazine is decommissioned in a safe manner and that any possibility of harm to people or property is eliminated after the factory or magazine is decommissioned. They must inform the Minister when the decommissioning is complete.	Amend subsection 169(5) to replace both “the factory, workplace or magazine” and “the factory or magazine” with “the factory, satellite site, workplace or magazine.”	The policy intent for this proposed amendment is to ensure satellite sites are captured by subsection 169(5).	<a href="#">No comment</a>
<b>PART 7 – Provisions of General Application</b>				
73	<b>173</b> (1) The Chief Inspector of Explosives may suspend a licence, permit or certificate, in whole or in part, if the holder fails to comply with	Amend the second sentence of subsection 173(1) to clarify that the Chief Inspector of Explosives may lift the suspension when the	This proposed amendment is intended to clarify that the suspension does not end automatically when the measures required to bring the holder into	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	the <i>Explosives Act</i> , these Regulations or any term or condition of the document. The suspension continues until the measures required to bring the holder into compliance are taken.	holder takes the measures required to bring the holder into compliance.	compliance are taken, but rather compliance should be verified by an inspector who subsequently lifts the suspension or recommends to the Chief Inspector of Explosives to lift the suspension.	
<b>PART 8 – Screening</b>				
74	<b>174</b> This Part sets out the screening requirements for people who have access to high hazard explosives. Division 1 sets out the requirements that must be met by applicants for licences, permits or certificates if they intend to *manufacture, store, import or export high hazard explosives or transport them in transit. Division 2 sets out the duties of licence, permit and certificate holders to control access to high hazard explosives. It also sets out the requirements for obtaining letters of approval.	Amend the second sentence of section 174 to clarify that Division 1 sets out the requirements that must be met by applicants for licences, permits or certificates if they intend to manufacture, store, transport, import or export high hazard explosives or transport them in transit.	This proposed amendment would add “transport” to the list of activities that require an applicant for a licence, permit or certificate to meet the requirements in Division 1 of Part 8. This would support the proposed amendments to add a transportation permit requirement in Part 9 of the Regulations. Under the proposed transportation permit amendments, approval letters would be required for employees of transportation permit holders.	CEAEC agrees, personnel involved in the transport of explosives should have security screening.  However, it will be necessary to clarify which employees of transportation permit holders need an approval letter, so this process doesn’t become burdensome for shippers, carriers, and regulators
75	<b>175 (1)</b> The following definitions apply in this Part.  <i>equivalent document</i> means (a) a <i>permis général</i> issued under Quebec’s <i>An Act respecting explosives</i> , as amended from time to time;	Amend subsection 175(1) to add the following to the definition of “equivalent document”: - A security clearance issued by the Government of Canada to individuals working as employees of Government of Canada who would have access to a high hazard explosive as part of their work.	This proposed amendment is intended to expand the list of “equivalent documents” to capture public servants who have access to high hazard explosives as part of their work in cases where a federal government department is a licence holder. This proposed amendment would also capture members	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(b) a FAST card (free and secure trade card) issued by the Canada Border Services Agency; (c) a NEXUS card issued by the Canada Border Services Agency; (d) a Firearms Possession and Acquisition Licence issued under the <i>Firearms Act</i> ; or (e) a security clearance issued by Public Services and Procurement Canada to individuals working for or on behalf of entities that are registered in its Contract Security Program. ( <i>document équivalent</i> )	<ul style="list-style-type: none"><li>- A personnel security clearance issued to members of a law enforcement agency who would have access to a high hazard explosive as part of their work.</li></ul>	of law enforcement agencies who are already screened as part of their employment and have access to high hazard explosives as part of their work in cases where the law enforcement agency is a licence holder.	
76	<b>175</b> (1) The following definitions apply in this Part.  <i>permit</i> means a permit that authorizes the importation, exportation or in transit transportation of a high hazard explosive. ( <i>permis</i> )	Amend subsection 175(1) to replace the definition of “permit” with the following:  <i>permit</i> means a permit that authorizes the transportation, importation, exportation or in transit transportation of a high hazard explosive. ( <i>permis</i> )	This proposed amendment would add transportation to the definition of a “permit” in subsection 175(1) to support the proposed amendments to add a transportation permit requirement in Part 9 of the Regulations.	<a href="#">See comments below in items 84 to 93</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
Division 1: Application for Licence, Permit or Certificate				
77	<b>176</b> (2) Every applicant for a licence, permit or certificate, or for the renewal of one, must also include a list of their employees who are required by this Part to have an approval letter and must indicate whether the employee has applied for the letter and whether it has been received.	Amend subsection 176(2) to clarify that every applicant for a licence, permit or certificate, or for the renewal of one, must also include a list of their employees who are required by this Part to have an approval letter or equivalent document. The list must indicate: <ul style="list-style-type: none"> <li>- Whether the employee has applied for an approval letter and whether it has been received and its period of validity, or</li> <li>- If the employee is in possession of an equivalent document, the type of equivalent document and its period of validity.</li> </ul>	This amendment is intended to clarify that employees may also have an equivalent document, and those employees and their documents should also be included in the list submitted with a licence application.	No comment
PART 9 – Transporting Explosives				
78	<b>187</b> The following definitions apply in this Part.  <i><b>shipper</b></i> means a person who arranges for a carrier, prepares the explosives for transport and delivers them to the carrier. ( <i>expéditeur</i> )	Amend section 187 to replace the definition of “shipper” with the following:  <i><b>shipper</b></i> means a person who arranges for a carrier, prepares the explosives for transport and transfers them to the carrier. ( <i>expéditeur</i> )	This proposed amendment to replace the term “delivers” with “transfers” in the definition of “shipper” in section 187 is intended to clarify that a shipper would not transport explosives without a licence.	This is an improvement in striving towards full alignment with TDGR
79	<b>187</b> The following definitions apply in this Part.	Amend section 187 to add the following definition of “permit”:  <i><b>permit</b></i> means a permit that is issued under paragraph 7(1)(b) of the <i>Explosives Act</i> and authorizes a carrier to use a road vehicle to transport explosives. ( <i>permis</i> )	This proposed amendment is intended to support the policy intent to add requirements for permits for those transporting certain explosives.	See comments below in items 84 to 93

#	Current Provision	Proposed Amendments	Rationale	Comments
80	<b>187</b> The following definitions apply in this Part.	Amend section 187 to add the following definition of “competent person”:  <b>competent person</b> means a person who has been certified as trained in accordance with the section in Part 9 that outlines requirements for training. ( <i>personne compétente</i> )	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and is intended to ensure that training on the transportation of explosives is conducted by a competent person.  The intent is for “the section in Part 9 that outlines requirements for training” to be replaced by the section number for the proposed new training requirements in item #87 of this consultation document.	<a href="#">See comments below in items 84 to 93</a>  <a href="#">Suggest replacing “competent person” with “person deemed competent by the Licence Holder”.</a>
81	<b>191</b> (3.1) (b) the transportation of fireworks with UN number UN 0333, UN 0334, UN 0335 or UN 0336 in a towed vehicle if the driver of the tow vehicle holds a fireworks operator certificate (display assistant), fireworks operator certificate (display supervisor) or fireworks operator certificate (display supervisor with endorsement) and ensures that the quantity of fireworks transported in the towed vehicle does not exceed 750 kg and precautions have been taken to minimize the sway of both vehicles.	Amend paragraph 191(3.1)(b) to clarify that subsection 191(3) does not apply to the transportation of fireworks with UN number UN 0333, UN 0334, UN 0335 or UN 0336 in a towed vehicle if the driver of the tow vehicle holds a fireworks operator certificate (display supervisor) or fireworks operator certificate (display supervisor with endorsement) or has successfully completed a display fireworks safety and legal awareness course certified by the Minister and ensures that the quantity of fireworks transported in the towed vehicle does not exceed 750 kg and precautions have been taken to minimize the sway of both vehicles.	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan while maintaining an equivalent level of safety. This proposed amendment does not reference the position of a display assistant and instead references a driver who “has successfully completed a display fireworks safety and legal awareness course certified by the Minister.” This is because the policy intent is for this type of driver to have completed this training, but there is no safety rationale for the driver with this training to drive the towed vehicle under the direct supervision of a display supervisor.	<a href="#">No comment</a>
82	<b>192</b> (3) The shipper and the carrier must ensure that things other than	Amend subsection 192(3) to remove paragraph (b).	This proposed amendment is intended to support the policy intent to add	<a href="#">See comments below in items 84 to 93</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	explosives are not transported with explosives unless (b) in the case of a vehicle that contains more than 2000 kg of explosives, the vehicle has been authorized to transport the things by a permit issued by the Minister under paragraph 7(1)(b) of the <i>Explosives Act</i> and the permit is in the vehicle.		requirements for permits for those transporting certain explosives. Permits would be required for all transportation of those explosives, not just the circumstances in paragraph 192(3)(b).	<a href="#">Will Type S explosives require permits for transport?</a>  <a href="#">Is there an intent to allow small quantities e.g.25kg?</a>
83	<b>192 (4)</b> A shipper or a carrier who applies for a permit to transport things other than explosives in a vehicle that will contain explosives must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information: (a) the applicant’s name, address, telephone number, fax number and email address; (b) a list of the non-explosive items to be transported with the explosives in the vehicle; and (c) the precautions that will be taken to eliminate any possibility of an ignition.	Amend section 192 to remove subsection (4).	This proposed amendment is intended to support the policy intent to add requirements for permits for those transporting certain explosives. The intent is to remove subsection 192(4) and create new transportation permit requirements in Part 9 of the Regulations.	<a href="#">See comments below in items 84 to 93</a>



#	Current Provision	Proposed Amendments	Rationale	Comments
84	<b>NEW</b>	<p>Amend Part 9 to add the following new requirements for transportation permits, except for a carrier that is a holder of a fireworks operator certificate, a peace officer, an employee of the federal government, or an inspector appointed under the <i>Explosives Act</i>:</p> <ul style="list-style-type: none"> <li>- A carrier must obtain a permit for vehicles to transport explosives.</li> <li>- Transportation permits would be valid for three years.</li> <li>- A shipper must not transfer explosives to a carrier, unless the carrier holds a valid transportation permit.</li> </ul>	This proposed amendment to add a transportation permit requirement to Part 9 of the Regulations is intended to enhance safety and security by addressing risks posed by the transportation of explosives.	<p>How will the application be made, eLMS?</p> <p>Will this apply to MPU's?</p> <p>How will the shipper determine if the transporter has a valid permit?</p>
85	<b>NEW</b>	<p>Amend Part 9 to add the following new application requirements for transportation permits:</p> <ul style="list-style-type: none"> <li>- An applicant for a transportation permit must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information: <ul style="list-style-type: none"> <li>o The name, address, telephone number and email address of both the applicant and a contact person, and</li> <li>o A list of the vehicles that will be used to transport explosives, including vehicle descriptions and vehicle identification numbers (VIN),</li> </ul> </li> </ul>	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and would ensure that carriers and drivers specifically are aware of and following the transportation requirements within the Regulations.	<p>How will this list be managed by ERD, e.g. license holders submit an excel spread sheet?</p> <p>What does "Kept up to date" imply; how often is this to be updated, e.g. quarterly, annually?</p> <p>CEAEC understand the permit is for the company not per registered vehicle as companies acquire and remove many vehicles on an annual basis.</p> <p>Is this not overlapping with Transport Canada and adding additional burden?</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- The list of vehicle descriptions and VINs of the vehicles used to transport explosives must be kept up-to-date and sent to the Chief Inspector of Explosives on an annual basis.</li> </ul>		
86	<b>NEW</b>	<p>Amend Part 9 to add a new requirement that a holder of a transportation permit must ensure that every driver who could have access to high hazard explosives is:</p> <ul style="list-style-type: none"> <li>- A competent person, or</li> <li>- At least 21 years old, participating in the training program referred to in the section in Part 9 that outlines requirements for training, and under the direct supervision of a competent person.</li> </ul>	<p>This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and is intended to ensure that all carriers ensure that their drivers who are transporting explosives are aware of the safety and security requirements involved in transporting explosives.</p> <p>The intent is for “the section in Part 9 that outlines requirements for training” to be replaced by the section number for the proposed new training requirements in item #87 of this consultation document.</p>	<p>Agreed, training is a key component to safe explosives transportation.</p> <p>CEAEC understands that “competent person” is a “person deemed competent by the Licence Holder”.</p> <p>How will this apply to drivers already deemed competent but under the age of 21; proposal says competent or 21 and participating in training?</p> <p>Why the need to be at least 21 rather than 18?</p>
87	<b>NEW</b>	<p>Amend Part 9 to add the following new requirements:</p> <ul style="list-style-type: none"> <li>- Every driver who could have access to high hazard explosives must be trained to carry out their duties related to transporting explosives in a safe, secure and lawful manner.</li> <li>- The training must be given by a competent person.</li> <li>- The training must include the information that the driver needs to know to carry out their duties and the information necessary to ensure the</li> </ul>	<p>These proposed amendments support the policy intent to add transportation permit requirements to Part 9 by introducing a training program for drivers transporting explosives who are employed by holders of a transportation permit.</p>	<p>Agreed, training is a key component to safe explosives transportation.</p> <p>Will this follow the same basic approach to training as that in Transport Canada’s TDG Part 6 Training so as to reduce administrative burden and cost?</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<p>safety and security of the general public and of the explosives being transported.</p> <ul style="list-style-type: none"><li>- The training must also include the following:<ul style="list-style-type: none"><li>○ A review of the relevant sections of the <i>Explosives Act</i> and of these Regulations,</li><li>○ Precautions to be taken to minimize the likelihood of an ignition, and</li><li>○ Any of the carrier’s policies and procedures that may affect the safe and secure transportation of explosives.</li></ul></li></ul>		
88	<b>NEW</b>	<p>Amend Part 9 to add a new requirement that a holder of a transportation permit must certify as trained any driver who could have access to high hazard explosives who is at least 21 years old provided the following requirements are met:</p> <ul style="list-style-type: none"><li>- The driver has completed the training in the section in Part 9 that outlines requirements for training.</li><li>- The holder of the transportation permit has reasonable grounds to believe that the driver understands the hazards to which they could be exposed and that the driver is</li></ul>	<p>These proposed amendments support the policy intent to add transportation permit requirements to Part 9 and would ensure drivers are knowledgeable of the safety and security measures required to transport explosives.</p> <p>The intent is for “the section in Part 9 that outlines requirements for training” to be replaced by the section number for the proposed new training requirements in item #87 of this consultation document.</p>	<p>Agreed, training is a key component to safe explosives transportation.</p> <p>However, 88 is inconsistent with 86 above which states “competent person, or at least 21 years old, participating in training”.</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
		competent to carry out their duties in a manner that is safe, lawful and ensures the security of the explosives.		
89	<b>NEW</b>	<p>Amend Part 9 to add a new requirement that evidence of a driver's certification as trained in the transportation of explosives, either in the form of a training record or a document signed by the person who provided the training or by the holder of the transportation permit, must be given to the driver that includes the following information:</p> <ul style="list-style-type: none"> <li>- The driver's name,</li> <li>- The operating procedures the driver is competent to carry out, and</li> <li>- The date on which the driver's training certification will expire.</li> </ul>	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and would ensure that there is evidence that drivers transporting explosives have received training on this activity.	<a href="#">Is the expectation that the driver carries a card that details the requirements stated or can this be electronic?</a>
90	<b>NEW</b>	<p>Amend Part 9 to add the following new requirements:</p> <ul style="list-style-type: none"> <li>- A driver's certification as trained in the transportation of explosives must expire not more than five years after the date of the certification.</li> <li>- If a change occurs in the operating procedures for which the driver was certified, the driver must be trained in the new operating procedures, but the expiry date of the certification must remain the same.</li> </ul>	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and would ensure training for drivers transporting explosives is up to date and occurs with regularity.	<a href="#">Would virtual training be accepted?</a>
91	<b>NEW</b>	Amend Part 9 to add the following new requirements:	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and would ensure	<a href="#">What does a "record of work experience" consist of?</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- A training record and a record of work experience must be created and kept up to date for each driver who has access to high hazard explosives.</li> <li>- These records must be kept for two years after the date on which the driver's certification expires.</li> </ul>	records of training for drivers transporting explosives are kept.	Is there an opportunity to align this with provincial requirements for record keeping? Would an electronic form be acceptable?
92	<b>NEW</b>	Amend Part 9 to add a new requirement that an applicant for a transportation vehicle permit must pay the applicable fees set out in Part 19.	This proposed amendment supports the policy intent to add transportation permit requirements to Part 9 and would ensure fees are charged for those transportation permits.	<p>What is the fee?</p> <p>Is the fee charged per vehicle?</p> <p>Are MPU's exempt? Note that they were paid for via the division 1 license renewal.</p> <p>Is this to align with individual license expiry dates or on annual one-time per company basis.</p>
93	<b>NEW</b>	<p>Amend Part 9 to add the following new requirements:</p> <ul style="list-style-type: none"> <li>- Before a shipper hires a carrier to transport explosives, the shipper must verify that the carrier has a valid transportation permit.</li> <li>- A shipper must keep a record of each hire of a carrier for two years after the date of hire that includes the following information: <ul style="list-style-type: none"> <li>o The number and expiry date of the carrier's valid permit,</li> </ul> </li> </ul>	These proposed amendments support the policy intent to add transportation permit requirements to Part 9 and would require shippers to verify that carriers are transportation permit holders before they are hired to transport explosives.	<p>How will the shipper verify the status of the transport permit?</p> <p>Are permits to be issued per vehicle or to a company?</p> <p>The information requested is a duplication of the TDGR and the CID program. This adds additional record keeping, administrative burden and compliance costs with this new requirement (for both industry as well as government) with no benefit.</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>○ The type and product name of the explosives transported,</li> <li>○ The quantity of explosives transported within each shipment, and</li> <li>○ The date(s) of transport.</li> </ul>		
<b>PART 10 – Military Explosives and Law Enforcement Explosives</b>				
94	<p><b>205</b> The following definitions apply in this Part.</p> <p><i><b>law enforcement agency</b></i> means a police force, the Correctional Service of Canada or the Canada Border Services Agency. (<i>organisme d'application de la loi</i>)</p>	Amend section 205 to remove the definition of “law enforcement agency.”	This proposed amendment supports the policy intent of removing the definition of “law enforcement agency” from Part 10 and adding an updated definition of “law enforcement agency” to Part 1 per item #2 of this consultation document to ensure the definition applies throughout the Regulations.	No comment
95	<b>NEW</b>	<p>Add a requirement in Part 10 that a seller must ensure that any packaging or container that has been used for type D explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type D explosives remains unchanged,</li> <li>- The type D explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type D explosives is equal to or less than the mass of the</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		explosives during the first use of the packaging or container, and <ul style="list-style-type: none"> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>		
96	<b>NEW</b>	Add a requirement in Part 10 that a user must ensure that any packaging or container that has been used for type D explosives is not reused unless: <ul style="list-style-type: none"> <li>- The transport classification of the type D explosives remains unchanged,</li> <li>- The type D explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type D explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.  Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i> .	No comment
<b>PART 11 – Industrial Explosives</b>				
97	<b>213</b> The following definitions apply in this Part.  <i>industrial explosive</i> means the following types of explosive:	Amend the definition of “industrial explosive” in section 213 to remove paragraph (e).	This proposed amendment supports the policy intent of modernizing the Regulations. There is no longer a need to have different safety and security requirements for black powder depending on its end use.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(a) E.1 — blasting explosives; (b) E.2 — perforating explosives; (c) E.3 — special-application explosives; (d) I — initiation systems; and (e) P.1 — black powder and hazard category PE 1 black powder substitutes, when they are used in mining, quarrying, construction or avalanche control. ( <i>explosif industriel</i> )			
PART 12 – Blank Cartridges for Tools				
98	NEW	<p>Add a requirement in Part 12 that a seller must ensure that any packaging or container that has been used for type C.2 explosives is not reused unless:</p> <ul style="list-style-type: none"><li>- The transport classification of the type C.2 explosives remains unchanged,</li><li>- The type C.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type C.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment



#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>		
99	<b>NEW</b>	<p>Add a requirement in Part 12 that a user must ensure that any packaging or container that has been used for type C.2 explosives is not reused unless:</p> <ul style="list-style-type: none"><li>- The transport classification of the type C.2 explosives remains unchanged,</li><li>- The type C.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type C.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
<b>PART 13 – Special Purpose Explosives</b>				
Division 1: Low-hazard Special Purpose Explosives				
100	<b>243</b> (1) A seller who holds a licence must store their low-hazard special purpose explosives in the magazine specified in their licence.	Amend subsection 243(1) to clarify that a seller who holds a licence must store their low-hazard special purpose explosives in the magazine specified in their licence and ensure that the requirements of section 244 are met.	Currently, the requirements in section 244 apply only to unlicensed retailers and not to licensed sellers. This proposed amendment would close this gap by ensuring that the requirements in section 244 also apply to licensed sellers.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
101	<b>244</b> (3) Flares that are displayed for sale must be kept behind a sales counter or locked up (for example, in a cabinet) unless the flares are in consumer packs.	Amend subsection 244(3) to clarify that flares that are displayed for sale must be kept behind a sales counter or locked up (for example, in a cabinet) unless the flares are in consumer packs that meet the requirements of the new section in Part 13 respecting consumer packs.	This proposed amendment is intended to ensure consistency between Part 13 and other Parts of the Regulations, where consumer packs are defined. The intent is for the section number for the proposed amendment set out in item #102 of this consultation document to be referenced in this proposed amendment.	<a href="#">No comment</a>
102	<b>NEW</b>	Amend Division 1 of Part 13 to add a new requirement that for the purposes of this Division, a consumer pack must meet the following requirements: <ul style="list-style-type: none"> <li>- It must be of sufficient strength to withstand normal handling,</li> <li>- It must be designed so that it prevents a person who is handling it from being able to ignite the low-hazard special purpose explosives it contains, and</li> <li>- It must be designed so that it prevents any shifting of the low-hazard special purpose explosives during handling or transportation.</li> </ul>	This proposed amendment is intended to ensure consistency between Part 13 and other Parts of the Regulations, where consumer packs are defined. The intent is for the section number for this proposed amendment to be referenced in the proposed amendment set out in item #101 of this consultation document.	<a href="#">No comment</a>
103	<b>245</b> (1) No more than 1 000 kg of low-hazard special purpose explosives may be stored in a sales establishment at any one time, including those that are displayed for sale. If the sales establishment is located in a building that contains a dwelling, no more than 100 kg may be stored in the establishment at any one time, including explosives that are displayed for sale.	Amend the first sentence in subsection 245(1) to clarify that no more than 1000 kg of low-hazard special purpose explosives may be stored in a sales establishment at any one time without a licence, including those that are displayed for sale.	The proposed amendment is intended to clarify that more than 1000 kg of low-hazard special purposes explosives may be stored in a sale establishment with a licence, but without a licence no more than 1000 kg of low-hazard special purpose explosives may be stored in a sales establishment at any one time.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
104	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 13 that a seller must ensure that any packaging or container that has been used for type S.1 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type S.1 explosives remains unchanged,</li> <li>- The type S.1 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type S.1 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	<p>This is positive in the sense that it reduces overlapping jurisdiction and requirements.</p> <p>Will NRCAN / ERD be defining a day box alternative to the old Type 6 2001 magazine. This is the only way some members dealing with the Oil and Gas Industry can transport opened packages. This may require the involvement of provincial regulators to get alignment.</p>
105	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 13 that a user must ensure that any packaging or container that has been used for type S.1 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type S.1 explosives remains unchanged,</li> <li>- The type S.1 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- The mass of the type S.1 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>		
Division 2: High-hazard Special Purpose Explosives				
106	NEW	<p>Add a requirement in Division 2 of Part 13 that a seller must ensure that any packaging or container that has been used for type S.2 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type S.2 explosives remains unchanged,</li> <li>- The type S.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type S.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
107	NEW	<p>Add a requirement in Division 2 of Part 13 that a user must ensure that any packaging or container that has been used for type S.2 explosives is not reused unless:</p>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- The transport classification of the type S.2 explosives remains unchanged,</li> <li>- The type S.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type S.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i> .	
<b>PART 14 – Small Arms Cartridges, Propellant Powder and Percussion Caps</b>				
108	<b>268</b> (1) The following definitions apply in this Part.	<p>Amend subsection 268(1) to add the following definition:</p> <p><b>NEQ</b> means net explosive quantity (the mass of the explosive excluding the mass of any packaging or container).</p>	This proposed amendment is intended to support the proposed new amendment to Division 2 of Part 14 in item #116 of this consultation document, which uses this term.	No comment
<b>Division 1: Small Arms Cartridges</b>				
109	<b>272</b> (1) A seller who holds a licence must store their small arms cartridges in the magazine specified in their licence.	Amend subsection 272(1) to clarify that a seller who holds a licence must store their small arms cartridges in the magazine specified in their licence and ensure that the requirements of sections 273 and 274 are met.	Currently, the requirements in sections 273 and 274 apply only to unlicensed retailers and not to licensed sellers. This proposed amendment would close this gap by ensuring that the requirements in sections 273 and 274 also apply to licensed sellers.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
110	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 14 that a seller must ensure that any packaging or container that has been used for type C.1 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type C.1 explosives remains unchanged,</li> <li>- The type C.1 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type C.1 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
111	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 14 that a user must ensure that any packaging or container that has been used for type C.1 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type C.1 explosives remains unchanged,</li> <li>- The type C.1 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- The mass of the type C.1 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>		
Division 2: Propellant Powder and Percussion Caps and the Manufacture of Small Arms Cartridges and Black Powder Cartouches				
112	<b>283</b> (2) A retailer may acquire, store and sell propellant powder and percussion caps, whether or not they hold a licence. A retailer who acquires propellant powder or percussion caps must comply with this Division.	Amend the first sentence of subsection 283(2) to clarify that a retailer may acquire, store and sell propellant powder with a licence, and may acquire, store and sell percussion caps whether or not they hold a licence.	This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment would add a new requirement for all retailers to have a licence to acquire, store and sell propellant powder.	<a href="#">How will this affect the shipping of propellant if the container has been opened? If propellant needs to be shipped in the original container, closing it in the same manner the manufacturer used (staples) will not be possible in the field</a>
113	<b>NEW</b>	<p>Amend Division 2 of Part 14 to add the following new requirements:</p> <ul style="list-style-type: none"> <li>- Before a distributor sells propellant powder to a retailer, the distributor must require the retailer to establish their identity by providing a valid licence or manufacturing certificate that authorizes the retailer to purchase propellant powder,</li> <li>- A distributor must keep a record of each sale of propellant powder to a retailer for two years after the date of sale that includes the following information: <ul style="list-style-type: none"> <li>o The number and expiry date of the buyer's valid licence or certificate,</li> </ul> </li> </ul>	This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment would require distributors to ensure retailers have a valid licence or manufacturing certificate to purchase propellant powder and would add record-keeping requirements for distributors' sales of propellant powder to retailers.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>○ The type and product name of the propellant powder that was sold to the retailer,</li> <li>○ The quantity of propellant powder sold under each product name, and</li> <li>○ The date of the sale.</li> </ul>		
114	<b>285</b> A retailer who does not hold a licence must store their propellant powder and percussion caps in a sales establishment and must ensure that the requirements of sections 286 to 288 are met.	Amend section 285 to remove “propellant powder and.”	This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment would support the proposed amendment to subsection 283(2) in item #112 of this consultation document to add a new requirement for all retailers to have a licence to acquire, store and sell propellant powder.	No comment
115	<p><b>287</b> (3) The maximum quantity of propellant powder that may be stored at any one time in a detached dwelling, or in a storage unit attached to a detached dwelling, is 25 kg of which no more than 10 kg may be black powder.</p> <p>(4) The maximum quantity of smokeless powder that may be stored at any one time in a dwelling other than a detached dwelling, or in a storage unit attached to a dwelling other than a detached dwelling, is</p> <p>(a) 20 kg, if all the smokeless powder is in containers that</p>	Amend section 287 to remove subsections (3), (4), (5) and (6).	This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment would support the proposed amendment to subsection 283(2) in item #112 of this consultation document to add a new requirement for all retailers to have a licence to acquire, store and sell propellant powder. The regulatory requirements in subsections 287(3) to (6) would be removed from the Regulations so that they can be included in retailers’ licences.	No comment



#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>hold no more than 1 kg; or (b) 5 kg, if any of the smokeless powder is in a container that holds more than 1 kg.</p> <p>(5) The maximum quantity of black powder that may be stored at any one time in a dwelling other than a detached dwelling, or in a storage unit attached to a dwelling other than a detached dwelling, is</p> <p>(a) 1 kg, if the black powder is in containers; or (b) 3 kg less any quantity that is in containers, if the black powder is in small arms cartridges or black powder cartouches.</p> <p>(6) The maximum quantity of propellant powder that may be stored at any one time in storage units that are not attached to a dwelling, whether in a single unit or in several, is 75 kg.</p>			
116	<b>NEW</b>	<p>Amend Division 2 of Part 14 to add the following new requirements:</p> <ul style="list-style-type: none"><li>- No more than 125 kg of type P.2 explosives may be stored in any one indoor magazine,</li><li>- If type P.1 explosives and type P.2 explosives are stored in the same</li></ul>	<p>This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment is also intended to enshrine these requirements in the Regulations rather</p>	

#	Current Provision	Proposed Amendments	Rationale	Comments
		<p>indoor magazine, a combined quantity of no more than 25 kg of type P.1 and type P.2 explosives may be stored in that indoor magazine,</p> <ul style="list-style-type: none"><li>- No more than 25 kg of type P.1 explosives may be stored inside a building,</li><li>- The following total quantity limits apply to the storage of type P.2 explosives that may be stored inside a sales establishment:<ul style="list-style-type: none"><li>o No more than 750 kg of type P.2 explosives may be stored in a retail location, of which no more than 375 kg of that 750 kg of type P.2 explosives may be stored in magazines on the retail floor or in the retail area.</li><li>o Any propellant powder that is not in the retail area must be stored in magazines in the back room, which must be inaccessible to retail customers.</li></ul></li><li>- The following total quantity limits apply to the storage of type P.2 explosives that may be stored inside a distribution centre or warehouse, provided the distribution centre or warehouse is not accessible to the public:</li></ul>	<p>than including them in the terms and conditions for each and every licence.</p>	

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"><li>○ No more than 2,200 kg of NEQ, provided that no more than 125 kg of NEQ is stored in each magazine.</li><li>- A minimum distance of 10 metres must be maintained between each magazine storing propellant powder.</li></ul>		
117	<b>290</b> A retailer who does not hold a licence must, before beginning to sell propellant powder, send the Chief Inspector of Explosives a written notice that sets out their name, address, telephone number, fax number and email address and the date on which they will begin to sell. If such a retailer stops selling propellant powder, they must send the Chief Inspector a written notice to that effect as soon as the circumstances permit.	Amend Division 2 of Part 14 to remove section 290.	This proposed amendment is intended to enhance safety and security by addressing risks posed by propellant powder. This proposed amendment would support the proposed amendment to subsection 283(2) in item #112 of this consultation document to make it clear that retailers are required to have a licence to acquire, store and sell propellant powder.	No comment
118	<b>NEW</b>	Add a requirement in Division 2 of Part 14 that a seller must ensure that any packaging or container that has been used for type C.3, P.1 or P.2 explosives is not reused unless: <ul style="list-style-type: none"><li>- The transport classification of the type C.3, P.1 or P.2 explosives remains unchanged,</li><li>- The type C.3, P.1 or P.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type C.3, P.1 or P.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>		
119	<b>NEW</b>	<p>Add a requirement in Division 2 of Part 14 that a user must ensure that any packaging or container that has been used for type C.3, P.1 or P.2 explosives is not reused unless:</p> <ul style="list-style-type: none"><li>- The transport classification of the type C.3, P.1 or P.2 explosives remains unchanged,</li><li>- The type C.3, P.1 or P.2 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type C.3, P.1 or P.2 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
<b>PART 15 – Model and High-Power Rocket Motors</b>				

#	Current Provision	Proposed Amendments	Rationale	Comments
120	<b>306</b> This Part authorizes the acquisition, storage and sale of rocket motors, reloading kits and igniters. Division 1 sets out the rules for sellers and users of model rocket motors (type R.1), model rocket motor reloading kits (type R.1) and igniters for model rocket motors (type R.3). Division 2 sets out the rules for sellers and users of high-power rocket motors (type R.2), high-power rocket motor reloading kits (type R.2) and igniters for high-power rocket motors (type R.3).	Amend section 306 to add that: Division 3 sets out the rules for sellers and users of advanced high-power rocket motors (type R.4), advanced high-power rocket motor reloading kits (type R.4) and igniters for advanced high-power rocket motors (type R.3).	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	No comment
121	<b>307</b> (1) The following definitions apply in this Part.	Amend subsection 307(1) to add the following new definition:  <b><i>advanced high-power rocket motor</i></b> means a recreational rocket motor with an impulse that is produced by combustion of a solid propellant and exceeds 40,960 newton-seconds but does not exceed 889,600 newton-seconds. ( <i>moteur de fusée haute puissance avancé</i> )	This proposed amendment is intended to harmonize Canadian requirements with U.S. requirements and to enable Canadian university rocketry clubs to experiment and participate in rocketry competitions with advanced high-power rocket motors in Canada.	No comment
Division 1: Model Rocket Motors				
122	<b>311</b> (1) A seller who holds a licence must store their rocket motors, reloading kits and igniters in the magazine specified in their licence.	Amend subsection 311(1) to clarify that a seller who holds a licence must store their rocket motors, reloading kits and igniters in the magazine specified in their licence and ensure that the requirements of sections 312 and 313 are met.	Currently, the requirements in sections 312 and 313 apply only to unlicensed retailers and not to licensed sellers. This proposed amendment would close this gap by ensuring that the requirements in	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
			sections 312 and 313 also apply to licensed sellers.	
123	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 15 that a seller must ensure that any packaging or container that has been used for type R.1 or R.3 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type R.1 or R.3 explosives remains unchanged,</li> <li>- The type R.1 or R.3 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type R.1 or R.3 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
124	<b>NEW</b>	<p>Add a requirement in Division 1 of Part 15 that a user must ensure that any packaging or container that has been used for type R.1 or R.3 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type R.1 or R.3 explosives remains unchanged,</li> <li>- The type R.1 or R.3 explosives are arranged in the packaging or</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCAN, it was agreed that the requirements for the reuse of explosives packaging would become NRCAN's responsibility to regulate, as</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<p>container so as to minimize their movement during transport,</p> <ul style="list-style-type: none"><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type R.1 or R.3 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>	<p>opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	
Division 2: High-power Rocket Motors				
125	NEW	<p>Add a requirement in Division 2 of Part 15 that a seller must ensure that any packaging or container that has been used for type R.2 or R.3 explosives is not reused unless:</p> <ul style="list-style-type: none"><li>- The transport classification of the type R.2 or R.3 explosives remains unchanged,</li><li>- The type R.2 or R.3 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type R.2 or R.3 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>		
126	<b>NEW</b>	<p>Add a requirement in Division 2 of Part 15 that a user must ensure that any packaging or container that has been used for type R.2 or R.3 explosives is not reused unless:</p> <ul style="list-style-type: none"> <li>- The transport classification of the type R.2 or R.3 explosives remains unchanged,</li> <li>- The type R.2 or R.3 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li> <li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li> <li>- The mass of the type R.2 or R.3 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li> <li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li> </ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada's packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan's responsibility to regulate, as opposed to TC's. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	<a href="#">No comment</a>
127	<b>NEW</b>	Amend Part 15 to create a new Division 3 titled "Advanced High-power Rocket Motors."	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
128	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirement:</p> <ul style="list-style-type: none"> <li>- In this Division, unless otherwise indicated, a reference to a rocket motor, a reloading kit or an igniter is a</li> </ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>



#	Current Provision	Proposed Amendments	Rationale	Comments
		reference to an advanced high-power rocket motor, a reloading kit for an advanced high-power rocket motor or an igniter for an advanced high-power rocket motor.		
129	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A seller may acquire, store and sell rocket motors, reloading kits and igniters if they hold a licence. A seller who acquires rocket motors, reloading kits or igniters must comply with this Division.</li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
130	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A seller must store their rocket motors, reloading kits and igniters in the magazine specified in their licence.</li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
131	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A seller must not display rocket motors or reloading kits for sale.</li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
132	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A seller must not sell more rocket motors, reloading kits or igniters to a licensed buyer than the buyer is authorized by their licence to store.</li><li>- A seller must not sell more rocket motors, reloading kits or igniters to an unlicensed buyer than the buyer is authorized by this Division to store.</li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
133	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A retailer may sell rocket motors, reloading kits or igniters only to a user.</li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
134	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers: <ul style="list-style-type: none"><li>- A seller must keep a record of every sale of a rocket motor, reloading kit or igniter for two years after the date of the sale. The record must include the following information:<ul style="list-style-type: none"><li>o The buyer's name and address,</li><li>o In the case of a licensed buyer, the licence number and expiry date,</li><li>o The type, product name and power level of each rocket motor and each reloading kit sold and the name of the person who obtained its authorization,</li><li>o The product name of each igniter sold and the name of the person who obtained its authorization,</li><li>o The number of motors, kits and igniters sold under each product name, and</li><li>o The date of the sale.</li></ul></li></ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
135	<b>NEW</b>	Amend proposed new Division 3 of Part 15 to add the following new requirement for sellers:	This proposed amendment is intended to support the addition of a new Division 3	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"> <li>- Rocket motors, reloading kits and igniters must be attended when they are not in storage.</li> </ul>	to Part 15 to set out requirements for advanced high-power rocket motors.	
136	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirement for users:</p> <ul style="list-style-type: none"> <li>- A user may acquire and store rocket motors, reloading kits and igniters, whether or not they hold a licence. A user who acquires rocket motors, reloading kits or igniters must comply with this Division.</li> </ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
137	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirements for users:</p> <ul style="list-style-type: none"> <li>- A user who holds a licence must store their rocket motors, reloading kits and igniters in the magazine specified in their licence.</li> <li>- A user who does not hold a licence must store their rocket motors, reloading kits and igniters in a storage unit and ensure that the requirements in the section numbers for the proposed amendments in items #138 and 139 of this consultation document are met.</li> </ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>
138	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirements for users who do not hold a licence:</p> <ul style="list-style-type: none"> <li>- No more than 20 kg of advanced high-power rocket motors and reloading kits can be stored at any one time.</li> </ul>	This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<ul style="list-style-type: none"><li>- An advanced high-power rocket in which a motor has been installed must not be stored.</li></ul>		
139	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirements for users who do not hold a licence:</p> <ul style="list-style-type: none"><li>- When advanced high powered rocket motors are stored in a storage unit, the following requirements must be met:<ul style="list-style-type: none"><li>o The storage unit must be located away from flammable substances and sources of ignition,</li><li>o The interior of the storage unit must be kept clean and dry;</li><li>o The storage unit must be constructed and maintained to prevent unauthorized access and to protect the contents from weather,</li><li>o The storage unit must be attended when it is unlocked,</li><li>o If the storage unit is a container, it must not impede exit in case of fire,</li><li>o If the storage unit is not a container, all exits must be kept unobstructed,</li><li>o Any shelving in the storage unit must be made from a non-sparking material (for</li></ul></li></ul>	<p>This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.</p>	<p>No comment</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
		<p>example, wood or painted metal),</p> <ul style="list-style-type: none"><li>○ Nothing other than rocket motors may be stored in the storage unit,</li><li>○ Any spill, leakage or other contamination in the storage unit must be cleaned up immediately,</li><li>○ Precautions that minimize the likelihood of fire in or near the storage unit must be taken, and</li><li>○ A sign that displays the words “Danger — Fire Hazard/Risque d’incendie” in letters at least 10 cm high and that prohibits smoking using letters, or a symbol, at least 10 cm high must be posted on the storage unit in a clearly visible location.</li></ul>		
140	<b>NEW</b>	<p>Amend proposed new Division 3 of Part 15 to add the following new requirement for users:</p> <ul style="list-style-type: none"><li>- Rocket motors, reloading kits and igniters must be attended when they are not in storage.</li></ul>	<p>This proposed amendment is intended to support the addition of a new Division 3 to Part 15 to set out requirements for advanced high-power rocket motors.</p>	<a href="#">No comment</a>
<b>PART 17 – Special Effect Pyrotechnics</b>				
Division 1: Rules for Sellers				
141	<b>368</b> (1) A seller may sell special effect pyrotechnics only to a buyer who holds the fireworks operator	<p>Amend section 368 to remove subsection 368(4) and to clarify in subsection 368(1) that</p>	<p>The proposed amendments are intended to clarify to whom a seller may sell special effect pyrotechnics.</p>	<a href="#">No comment</a>

#	Current Provision	Proposed Amendments	Rationale	Comments
	certificate that is required for use of the pyrotechnics that are to be bought.  (4) A seller may sell special effect pyrotechnics to a buyer who is not a user only if the buyer holds a licence.	a seller may sell special effect pyrotechnics only to: <ul style="list-style-type: none"><li>- A person who holds a licence, or</li><li>- A user who holds the required fireworks operator certificate for use of the pyrotechnics that are to be bought.</li></ul>		
142	<b>NEW</b>	Add a requirement in Division 1 of Part 17 that a seller must ensure that any packaging or container that has been used for type F.3 or F.4 explosives is not reused unless: <ul style="list-style-type: none"><li>- The transport classification of the type F.3 or F.4 explosives remains unchanged,</li><li>- The type F.3 or F.4 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type F.3 or F.4 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>	The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.  Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i> .	No comment
Division 2: Rules for Users and Other Acquirers				
143	<b>390</b> (2) Despite subsection (1), a user who holds a licence may store up to 500 electric matches and up to 25 kg	Amend the second sentence in subsection to clarify that a user who does so must ensure	This proposed amendment is intended to clarify that section 392 should also apply.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	of other special effect pyrotechnics in a dwelling or a *storage unit. A user who does so must ensure that the requirements of sections 393 to 397 are met.	that the requirements of sections 392 to 397 are met.		
144	<b>NEW</b>	<p>Add a requirement in Division 2 of Part 17 that a user must ensure that any packaging or container that has been used for type F.3 or F.4 explosives is not reused unless:</p> <ul style="list-style-type: none"><li>- The transport classification of the type F.3 or F.4 explosives remains unchanged,</li><li>- The type F.3 or F.4 explosives are arranged in the packaging or container so as to minimize their movement during transport,</li><li>- The packaging or container is closed for transport in the same manner as it was for its first use,</li><li>- The mass of the type F.3 or F.4 explosives is equal to or less than the mass of the explosives during the first use of the packaging or container, and</li><li>- The packaging or container shows no signs of damage, contamination or reduced strength.</li></ul>	<p>The requirements for the reuse of explosives packaging were previously in Transport Canada’s packaging standard (CGSB-43.151) in the TDG Regulations.</p> <p>Following discussions between Transport Canada and NRCan, it was agreed that the requirements for the reuse of explosives packaging would become NRCan’s responsibility to regulate, as opposed to TC’s. The authority to regulate this issue is pursuant to paragraph 5(c) of the <i>Explosives Act</i>.</p>	No comment
<b>PART 18 – Display Fireworks</b>				
Division 1: Display Fireworks				
145	<b>421</b> The certificates issued by the Minister that are required for the use of fireworks are the following:	Amend section 421 to remove paragraph (a).	Removing the requirement for display assistants to obtain a certificate from NRCan before working as a display assistant under the supervision of a	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(a) fireworks operator certificate (display assistant);		display supervisor would increase efficiencies for both stakeholders and NRCan and better align with similar requirements in the U.S. and other international jurisdictions without reducing safety.	
146	<b>422</b> (1) To obtain a fireworks operator certificate (display assistant), a person must successfully complete the display fireworks safety and legal awareness course offered by the Explosives Regulatory Division, Department of Natural Resources or a course certified as equivalent by the Minister.	Amend subsection 422 to remove subsection (1).	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan while maintaining an equivalent level of safety. Display assistants will be required under the proposed amendments to section 428 to have successfully completed a fireworks safety and legal awareness course certified by the Minister and to use the fireworks under the direct supervision of a display supervisor.	No comment
147	<b>422</b> (4) To obtain a fireworks operator certificate (display visitor), a person must reside outside Canada and must have the experience necessary to safely carry out the activities of a holder of a fireworks operator certificate (display assistant).	Amend subsection 422(4) to replace the term “holder of a fireworks operator certificate (display assistant)” with “display assistant.”	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan.	No comment
148	<b>422</b> (1) To obtain a fireworks operator certificate (display assistant), a person must successfully complete the display fireworks safety and legal awareness course offered by the Explosives Regulatory Division, Department of Natural Resources or a course certified as equivalent by the Minister.	Amend section 422 to add a new requirement that display assistants must successfully complete a display fireworks safety and legal awareness course certified by the Minister every five years to remain eligible to work as a display assistant.	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan.	No comment



#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>(2) To obtain a fireworks operator certificate (display supervisor), a person must have acted as a display assistant in at least three fireworks displays within five years after the date on which the applicant completed the display fireworks safety and legal awareness course or its equivalent.</p> <p>(3) To obtain a fireworks operator certificate (display supervisor with endorsement), a person must hold a fireworks operator certificate (display supervisor) and must either</p> <ul style="list-style-type: none"><li>(a) successfully complete an advanced safety course, certified by the Minister, on the fireworks or display sites covered by the endorsement;</li><li>or</li><li>(b) demonstrate to the Minister that, working under the direct supervision of a display supervisor in charge, they have obtained the necessary experience to safely carry out the activities covered by the endorsement.</li></ul>			

#	Current Provision	Proposed Amendments	Rationale	Comments
	(4) To obtain a fireworks operator certificate (display visitor), a person must reside outside Canada and must have the experience necessary to safely carry out the activities of a holder of a fireworks operator certificate (display assistant).			
149	<b>423</b> (1) An applicant for a fireworks operator certificate (display assistant) must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information and documents: (a) the applicant’s name, date of birth, address, telephone number, fax number and email address; (b) the name of any organization of fireworks operators to which the applicant belongs; (c) a photograph of the applicant taken within the previous 12 months; and (d) proof that the applicant has successfully completed the display fireworks safety and legal awareness course offered by the Explosives Regulatory Division, Department of Natural	Amend section 423 to remove subsections (1) and (2).	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	<p>Resources or a course certified as equivalent by the Minister.</p> <p>(2) An applicant who has not completed the display fireworks safety and legal awareness course or a certified equivalent on the date their application is submitted may, within six months after that date, submit to the Chief Inspector of Explosives proof of their successful completion.</p>			
150	<p><b>423</b> (3) An applicant for a fireworks operator certificate (display supervisor) must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information and documents:</p> <p>(a) the applicant's name, date of birth, address, telephone number, fax number and email address;</p> <p>(b) the name of any organization of fireworks operators to which the applicant belongs;</p> <p>(c) the number and expiry date of the applicant's fireworks operator certificate;</p>	<p>Amend subsection 423(3) to add a new requirement that the application for a fireworks operator certificate (display supervisor) must also include proof that the applicant has successfully completed a display fireworks safety and legal awareness course certified by the Minister.</p>	<p>This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan. Previously, applicants for a fireworks operator certificate (display supervisor) would have already demonstrated they met this training requirement under paragraph 423(1)(d) when they submitted their application for a fireworks operator certificate (display assistant). However, with the deletion of 423(1)(d) under these proposed amendments, that requirement needs to be duplicated in the application process for a fireworks operator certificate (display supervisor) to maintain an equivalent level of safety.</p>	<p>No comment</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
	(d) a photograph of the applicant taken within the previous 12 months; (e) a copy of the applicant’s work journal that sets out (i) the date and place of each fireworks display at which the applicant has worked and a description of the fireworks used, (ii) the capacity in which the applicant acted at each fireworks display, and (iii) the name of the display supervisor in charge at each fireworks display; and (f) a letter of recommendation.			
151	<b>423</b> (3)(c) the number and expiry date of the applicant’s fireworks operator certificate;	Amend paragraph 423(3)(c) to clarify that this requirement is now only as applicable.	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan. This requirement should be as applicable as applicants for a fireworks operator certificate (display supervisor) will no longer have a fireworks operator certificate (display assistant), but some applicants may have a previous fireworks operator certificate (display supervisor)	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
			that they should provide as part of this application.	
152	<b>428</b> A user may use fireworks if they hold a fireworks operator certificate (display assistant) or a fireworks operator certificate (display visitor) and use them under the direct supervision of the display supervisor in charge.	Amend section 428 to clarify that a user may use fireworks if: <ul style="list-style-type: none"> <li>- They are a display assistant who has successfully completed a fireworks safety and legal awareness course certified by the Minister and is using the fireworks under the direct supervision of a display supervisor; or</li> <li>- They hold a fireworks operator certificate (display visitor) and use the fireworks under the direct supervision of the display supervisor in charge.</li> </ul>	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan. The policy intent of this proposed amendment is to ensure that for every requirement in the Regulations pertaining to a “display assistant,” the display assistant will be required to have completed this training and will be required to use the fireworks under the direct supervision of a display supervisor.	No comment
153	<b>434</b> (5) Only a person who holds a fireworks operator certificate (display assistant), fireworks operator certificate (display supervisor), fireworks operator certificate (display supervisor with endorsement) or fireworks operator certificate (display visitor) and is authorized by the display supervisor in charge may handle fireworks in the danger zone or fallout zone.	Amend subsection 434(5) to replace the reference to a person who holds a fireworks operator certificate (display assistant) with a reference to a person who is a display assistant.	This proposed amendment supports the policy intent of removing the requirement for display assistants to obtain a certificate from NRCan while maintaining an equivalent level of safety.	No comment
154	<b>439</b> When a fireworks display is held on behalf of a licence holder, the licence holder must keep a record of the display for two years after the date of the display. The record must include the following information and documents:	Amend Division 1 of Part 18 to remove section 439.	This proposed amendment is intended to support the policy intent of streamlining the Regulations as the information in section 439 is already recorded under section 438.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(a) the licence holder’s name and address and the number and expiry date of the licence; (b) a copy of the *local authority’s approval to hold the display; (c) the name of the display supervisor in charge and the number and expiry date of their fireworks operators certificate; (d) the *product name and diameter of each firework used and the name of the person who obtained its authorization; (e) the quantity of fireworks used under each product name; and (f) the date and site of the display.			
PART 20 – Restricted Components				
155	<b>455</b> The following definitions apply in this Part.	Amend section 455 to add the following definition of “enrolment”:  <i><b>enrolment</b></i> means the registration of a product or component seller as	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There are no lists of component sellers or product sellers.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
		approved by the Chief Inspector of Explosives.	Rather, NRCan has been using the term “enrolment.”	
156	<b>461</b> (1) Any person may sell a Tier 1 component for use in a laboratory that is part of or affiliated with (a) a post-secondary educational institution recognized by a province; (b) a hospital or health clinic; or (c) a government or law enforcement agency.	Amend subsection 461(1) to clarify that the Regulations do not apply to the sale of Tier 1 restricted components to laboratories that are a part of or affiliated with a: - Post-secondary educational institution recognized by a province, - Hospital or health clinic, or - Federal or provincial government or governmental agency.	The proposed amendment would restore the previous requirement in subsection 457(1) that excepted certain institutions from the Regulations relating to the sale of restricted components. The policy intent of this proposed amendment is to prevent individuals working for one of these institutions from having to show their personal identification to purchase restricted components for their work.	No comment
157	<b>463</b> Only a component seller who is on the component sellers list referred to in subsection 467(1) is authorized to sell a Tier 1 component.	Amend section 463 to clarify that only a component seller who is enrolled as a component seller referred to in subsection 467(1) is authorized to sell a Tier 1 component.	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There are no lists of component sellers or product sellers. Rather, NRCan has been using the term “enrolment.”	No comment
158	<b>466</b> (1) The product seller must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information: (b) the product name of products that will be manufactured using a Tier 1 component and that will be sold;	Amend subsection 466(1) to remove paragraph (b).	This proposed amendment supports the policy intent of decreasing unnecessary administrative burden in the Regulations. The product name of products to be manufactured using restricted components is not useful to NRCan as the products themselves are not restricted components.	No comment
159	<b>467</b> (1) If a component seller provides the information required by section	Amend subsection 467(1) to clarify that if a component seller provides the information	The proposed amendment supports the policy intent of updating the terminology	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	464, the Chief Inspector of Explosives must include their name on the component sellers list, assign them a number and provide them with a document that certifies the number and effective date of listing.	required by section 464, the Chief Inspector of Explosives must assign them an enrolment number and provide them with a document that certifies the enrolment number and effective date of enrolment.	used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrolment.”	
160	<b>467</b> (2) A listing is effective for five years after the date that is set out in the document.	Amend subsection 467(2) to replace the term “listing” with “enrolment.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrollment.”	No comment
161	<b>468</b> (1) If a product seller provides the information required by section 466, the Chief Inspector of Explosives must include their name on the product sellers list, assign them a number and provide them with a document that sets out the number and effective date of listing.	Amend subsection 468(1) to clarify that if a product seller provides the information required by section 466, the Chief Inspector of Explosives must assign them an enrolment number and provide them with a document that certifies the enrolment number and effective date of enrolment.	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrolment.”	No comment
162	<b>468</b> (2) A listing is effective for five years after the date that is set out in the document.	Amend subsection 468(2) to replace the term “listing” with “enrolment.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrolment.”	No comment
163	<b>473</b> (3) All main entrances to a building in which a Tier 1 component is stored must be lit at all times outside business hours.	Amend subsection 473(3) to clarify that all main entrances to a building in which a Tier 1 component is stored must be lit between dusk and dawn.	This proposed amendment is intended to clarify the policy intent for this requirement. The policy intent is for sites to be lit up at night to deter theft and to make the site more visible from the road for police or others to notice activity. This proposed amendment also supports	No comment



#	Current Provision	Proposed Amendments	Rationale	Comments
			green initiatives as entrances do not need to be lit up on weekends during daylight hours.	
164	<p><b>479</b> For each calendar year, an inventory must be submitted to the Chief Inspector of Explosives in the form provided by the Department of Natural Resources. The inventory must be submitted no later than March 31 of the year following the year of the inventory and must include the following information:</p> <ul style="list-style-type: none"><li>(a) the listing number of the component seller or product seller;</li><li>(b) a record of the Tier 1 component that sets out, for each location where that component is stored or sold,<ul style="list-style-type: none"><li>(i) the starting inventory,</li><li>(ii) the quantity of the component that was manufactured,</li><li>(iii) the quantity of the component that was acquired and the manner of acquisition,</li><li>(iv) the quantity of the component that was used, sold, exported, destroyed, stolen or</li></ul></li></ul>	<p>Amend section 479 to remove the requirement to submit the inventory to the Chief Inspector of Explosives annually and instead to require an inventory to be kept for each calendar year as a record for two years after the end of the calendar year to be made available upon request to the Chief Inspector of Explosives.</p>	<p>This proposed amendment supports the policy intent to decrease unnecessary administrative burden in the Regulations.</p>	<p>CEAEC sees this as a positive change that eliminates regulatory burden.</p>

#	Current Provision	Proposed Amendments	Rationale	Comments
	lost, as the case may be, (v) the year-end inventory, and (vi) the historical normal range of loss that is due to loss of water or mechanical abrasion; and (c) the name, address, telephone number, fax number and email address of the person who completed the form.			
165	<b>479</b> For each calendar year, an inventory must be submitted to the Chief Inspector of Explosives in the form provided by the Department of Natural Resources. The inventory must be submitted no later than March 31 of the year following the year of the inventory and must include the following information: (a) the listing number of the component seller or product seller;	Amend paragraph 479(a) to replace the term “listing number” with the term “enrolment number.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There are no lists of component sellers or product sellers. Rather, NRCan has been using the term “enrolment.”	No comment
166	<b>483</b> A Tier 1 component may be sold to a buyer who is unable to establish their identity in accordance with section 482 if another component seller confirms in writing that they have been provided with the identification required for that buyer.	Amend Part 20 to remove section 483.	The proposed amendment supports the policy intent of ensuring that provisions are necessary and useful to NRCan and reflective of actual practices.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	The confirmation must set out the type of document provided to the other component seller and its reference number.			
167	<b>484</b> (1) A record of each sale of a Tier 1 component must be kept for two years after the date of the sale. The record must include the following information and documents: (j) if the component was shipped, the driver's licence number, the estimated and actual date of delivery, the address to which it is delivered and the quantity received; and	Amend paragraph 484(1)(j) to replace the term "quantity received" with "quantity delivered."	This proposed amendment supports the policy intent of clarifying the Regulations.	No comment
168	<b>484</b> (3) The record of sale must be kept locked up when it is not being used and must be made available only to a person who needs access to it in the course of their employment.	Amend subsection 484(3) to clarify that the record of sale must be inaccessible to the public.	The proposed amendment is intended to clarify the policy intent and align this requirement with other record-keeping requirements in the Regulations, none of which require a record to be locked up.	CEAEC sees this as a positive change in language as it reflects current operations,
169	<b>485</b> (1) When more than 1 kg of a Tier 1 component is shipped by vehicle, (a) each access point on the portion of the vehicle containing the component must be locked or sealed with a security cable immediately after the shipment is loaded; and	Amend paragraph 485(1)(a) clarify that the requirement that each access point on the portion of the vehicle containing the component must be locked or sealed with a security cable immediately after the shipment is loaded only applies when the vehicle is unattended.	This proposed amendment supports the policy intent of modernizing the Regulations to reflect actual current practices and to align with requirements in the Regulations allowing high explosives to be kept unlocked when attended.	No comment
170	<b>488</b> (1) If a component seller or product seller fails to comply with the <i>Explosives Act</i> or these Regulations,	Amend the first sentence in subsection 488(1) to remove reference to the component sellers list or product sellers list and to clarify that if a	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	the Chief Inspector of Explosives may suspend them from the component sellers list or product sellers list. The suspension continues until the component seller or product seller remedies the failure to comply.	component seller fails to comply with the <i>Explosives Act</i> or these Regulations, the Chief Inspector of Explosives may suspend or cancel their enrolment.	practices. There are no lists of component sellers or product sellers. Rather, NRCan has been using the term “enrolment.”	
171	<b>494</b> (1) Any person may sell a Tier 2 component for use in a laboratory that is part of or affiliated with (a) a post-secondary educational institution recognized by a province; (b) a hospital or health clinic; or (c) a government or law enforcement agency.	Amend subsection 494(1) to clarify that the Regulations do not apply to the sale of Tier 2 restricted components to laboratories that are a part of or affiliated with a: - Post-secondary educational institution recognized by a province, - Hospital or health clinic, or - Federal or provincial government or governmental agency	The proposed amendment would restore the previous requirement in subsection 457(1) that excepted certain institutions from the Regulations relating to the sale of restricted components. The policy intent of this proposed amendment is to prevent individuals working for one of these institutions from having to show their personal identification to purchase restricted components for their work.	No comment
172	<b>499</b> The product seller must complete, sign and send to the Chief Inspector of Explosives the application form provided by the Department of Natural Resources. The application must include the following information: (b) the product name of products that will be manufactured using a Tier 2 component and that will be sold;	Amend section 499 to remove paragraph (b).	This proposed amendment supports the policy intent of decreasing unnecessary administrative burden in the Regulations. The product name of products to be manufactured using restricted components is not useful to NRCan as the products themselves are not restricted components.	No comment
173	<b>500</b> (1) If a component seller provides the information required by section 497, the Chief Inspector of Explosives must include their name on the component sellers list, assign them a	Amend subsection 500(1) to clarify that if a component seller provides the information required by section 497, the Chief Inspector of Explosives must assign them an enrolment number and provide them with a document	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	number and provide them with a document that certifies the number and effective date of listing.	that certifies the enrolment number and effective date of enrolment.	sellers. Rather, NRCan has been using the term “enrolment.”	
174	<b>500</b> (2) A listing is effective for five years after the date that is set out in the document.	Amend section 500 to replace the term “listing” with “enrolment.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrolment.”	No comment
175	<b>501</b> (1) If a product seller provides the information required by section 499, the Chief Inspector of Explosives must include their name on the product sellers list, assign them a number and provide them with a document that sets out the number and effective date of listing.	Amend section 501 to clarify that if a product seller provides the information required by section 499, the Chief Inspector of Explosives must assign them an enrolment number and provide them with a document that certifies the enrolment number and effective date of enrolment.	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of product sellers. Rather, NRCan has been using the term “enrolment.”	No comment
176	<b>501</b> (2) A listing is effective for five years after the date that is set out in the document.	Amend section 501 to replace the term “listing” with “enrolment.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of product sellers. Rather, NRCan has been using the term “enrolment.”	No comment
177	<b>508</b> If any theft or attempted theft of, or any tampering with, a Tier 2 component is discovered, (a) the local police force must be informed immediately; (b) the Chief Inspector of Explosives must be informed within 24 hours after the discovery; and	Amend Section 508 to clarify that if any theft or attempted theft of, or tampering with, a Tier 2 component is discovered, the following requirements must be met: - The local police force must be informed immediately, and - A written report of the incident must be submitted to the Chief Inspector of Explosives within 24 hours after the discovery.	This proposed amendment would simplify the overall reporting process by aligning the reporting requirements for Tier 2 components in section 508 with the reporting requirements for Tier 1 components in section 480. The proposed amendments in item #183 of this consultation document would similarly align the reporting requirements for Tier	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
	(c) a written report of the incident must be submitted to the Chief Inspector of Explosives as soon as the circumstances permit.		3 components in section 519 with sections 480 and 508.	
178	<b>510</b> Before a Tier 2 component is sold, the buyer must be required to establish their identity by providing (b) if the buyer intends to sell the component, proof that the buyer is included on the component sellers list; or	Amend paragraph 510(b) to replace “proof that the buyer is included on the component sellers list” with “proof of enrolment.”	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There is no list of component sellers. Rather, NRCan has been using the term “enrolment.”	No comment
179	<b>511</b> A Tier 2 component may be sold to a buyer who is unable to establish their identity in accordance with section 510 if another component seller confirms in writing that they have been provided with the identification required for that buyer. The confirmation must set out the type of document provided to the other component seller and its reference number.	Amend Part 20 to remove section 511.	The proposed amendment supports the policy intent of ensuring that provisions are necessary and useful to NRCan and reflective of actual practices.	No comment
180	<b>512</b> (1) A record of each sale of a Tier 2 component must be kept for two years after the date of the sale. The record must include the following information and documents: (j) if the component was shipped, the date of reception and the quantity received.	Amend paragraph 512(1)(j) to replace the term “quantity received” with “quantity delivered.”	This proposed amendment supports the policy intent of clarifying the Regulations.	No comment

#	Current Provision	Proposed Amendments	Rationale	Comments
181	<b>512</b> (3) The record of sale must be kept locked up when it is not being used and must be made available only to a person who needs access to it in the course of their employment.	Amend subsection 512(3) to clarify that the record of sale must be inaccessible to the public.	The proposed amendment is intended to clarify the policy intent and align this requirement with other record-keeping requirements in the Regulations, none of which require a record to be locked up.	No comment
182	<b>514</b> (1) If a component seller or product seller fails to comply with the <i>Explosives Act</i> or these Regulations, the Chief Inspector of Explosives may suspend them from the component sellers list or product sellers list. The suspension continues until the component seller or product seller remedies the failure to comply.	Amend the first sentence of subsection 514(1) to clarify that if a component seller or product seller fails to comply with the <i>Explosives Act</i> or these Regulations, the Chief Inspector of Explosives may suspend or cancel their enrolment.	The proposed amendment supports the policy intent of updating the terminology used in the Regulations to reflect actual practices. There are no lists of component sellers or product sellers. Rather, NRCan has been using the term “enrolment.”	No comment
183	<b>519</b> If any theft or attempted theft of, or any tampering with, a Tier 3 component is discovered, (a) the local police force must be informed immediately; (b) the Chief Inspector of Explosives must be informed within 24 hours after the discovery; and (c) a written report of the incident must be submitted to the Chief Inspector of Explosives as soon as the circumstances permit.	Amend Section 519 to clarify that if any theft or attempted theft of, or tampering with, a Tier 3 component is discovered, the following requirements must be met: - The local police force must be informed immediately, and - A written report of the incident must be submitted to the Chief Inspector of Explosives within 24 hours after the discovery.	This proposed amendment would simplify the overall reporting process by aligning the reporting requirements for Tier 3 components in section 519 with the reporting requirements for Tier 1 components in section 480. The proposed amendments in item #177 of this consultation document would similarly align the reporting requirements for Tier 2 components in section 508 with sections 480 and 519.	No comment