

**RECONCILIATION AGREEMENT for the CANADIAN REGISTRATION NUMBER (CRN) FOR  
PRESSURE EQUIPMENT  
(Ref.: CFTA Annex 404 (14))**

Whereas the Governments of British Columbia, Saskatchewan, Manitoba, Ontario, Québec, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, Yukon, the Northwest Territories, and Nunavut (the “Parties” to this Reconciliation Agreement) as Parties to the Canadian Free Trade Agreement (“CFTA”) and pursuant to Annex 404 of the CFTA resolve to:

*Promote* innovation and competition across Canada by reducing compliance costs, cutting red tape, and speeding up time to market;

*Reduce and eliminate*, to the extent possible, barriers to the free movement of goods, services, and investments within Canada;

*Uphold* high levels of health, safety, and security of Canadians;

*Recognizing* the importance of ensuring public safety through compliance of pressure equipment designs to recognized standards;

*Also recognizing* that compliance to CSA B51, the current version of which is CSA B51-14, *Boiler, pressure vessel, and pressure piping code*, which is incorporated by reference in Parties’ regulations, is currently recognized by Parties through the issuance and presence of a Canadian Registration Number (“CRN”);

*Acknowledging* that provincial and territorial jurisdictions have the authority to issue CRN registrations;

*Also acknowledging* that the current CRN system adds cost and administrative burden for manufacturers, which can impede investment, innovation, and product choice;

*Therefore* the Parties agree as follows:

**1 PURPOSE**

- 1.1 The purpose of this Reconciliation Agreement (“Agreement”) is to facilitate trade of pressure equipment (boilers, pressure vessels and fittings) through the mutual recognition of one another’s regulatory requirements and administrative processes related to the issuance of CRN.
- 1.2 This Agreement establishes a timeline for implementation of the obligations herein and provides a means for Parties to resolve issues arising from implementation, respond to changes in circumstances, and ensure the continued maintenance of a CRN system based on mutual recognition.

**2 REGULATORY REQUIREMENTS BEING RECONCILED AND PARTIES’ OBLIGATIONS**

- 2.1 This Agreement applies to the mutual recognition of regulatory measures related to the issuance of a CRN for pressure equipment (boilers, pressure vessels, and fittings) where pressure equipment is to be used in more than one jurisdiction.

2.2 Parties agree:

- a to achieve mutual recognition, as defined in Section 13 of this Agreement;
  - b that the issuance of CRNs is based upon the value of professional reliance of designers and users of pressure equipment to establish and demonstrate compliance with industry standards;
  - c that CRN design reviews shall be conducted by a qualified individual;
  - d that design and administrative documentation associated with the CRN application will be made readily available to all Parties upon issuance of the CRN;
  - e to incorporate the current version of CSA B51, which is CSA B51-14, directly or by reference into regulation(s), as applicable and as identified in Schedule B, and make all reasonable attempts in future to adopt, as deemed appropriate by the Parties, other relevant technical codes and/or standards, which may include future versions of CSA B51, directly or by reference into regulation(s), as applicable;
  - f to develop and adopt supporting documentation as applicable, including a CRN application form, on any new processes resulting from this Agreement to support implementation; and,
  - g that the Party that conducts the CRN design review will retain the associated fees.
- 2.3 Recognizing that CSA B51 is available in both English and French, this Agreement and any other supporting documentation developed under this agreement will be available in both English and French. A bilingual CRN application form shall be available on the agreement's first day of implementation.
- 2.4 The Provincial-Territorial Advisory Committee ("PTAC"), acknowledged by the CFTA's Regulatory Reconciliation and Cooperation Table ("RCT") to act as the RCT CRN Working Group ("Working Group"), shall support the implementation of this Agreement, including in conjunction with relevant stakeholders, as per Schedule C.
- 2.5 During implementation and thereafter, Parties shall review this Agreement three years after the entry into force of this Agreement and at least every three years thereafter, as well as review any other supporting documentation developed as necessary and revise, as required, to reflect any systemic or operational changes.

### **3 ENTRY INTO FORCE AND TIMELINES FOR IMPLEMENTATION**

- 3.1 This Agreement will enter into force on January 1, 2020 for all Parties who have signed the Agreement.
- 3.2 The Parties commit to implementing the obligations outlined in Section 2.2, which will come into effect on January 1, 2020.

### **4 EXTENT TO WHICH AGREEMENT ADDRESSES IDENTIFIED BARRIERS**

- 4.1 The implementation of this Agreement will:

- a remove identified barriers resulting from multiple provincial and territorial practices related to CRN applications and design reviews;
- b reduce the number of CRN applications required to be submitted by manufacturers; and,
- c reduce the number of CRN design reviews conducted by regulatory authorities.

## **5 PROCESS TO ADDRESS CHANGES**

- 5.1 Any Party may request an amendment to this Agreement or Schedules by giving written notice to all Parties and the RCT Chair. The Working Group will meet within 60 days of receipt of such notice.
- 5.2 The Working Group will consider each request for amendment, and within an additional 60 days, Parties will determine whether to amend this Agreement.
- 5.3 Any proposed amendment that then receives unanimous approval of the Parties will be added to this Agreement by written amending agreement.
- 5.4 No amendment or change to this Agreement shall be valid unless it is in writing and signed by all Parties.
- 5.5 Designates of all Parties agree to communicate in a timely manner any such amendments to their respective stakeholders considered to be affected by the amendments.

## **6 ACCESSION**

- 6.1 A province or territory that is not a Party may accede to this Agreement by way of a written amendment.

## **7 DISPUTE RESOLUTION**

- 7.1 The CFTA's Chapter Ten – Dispute Resolution, excluding Part B, applies to the resolution of disputes arising from this Agreement.
- 7.2 Any Party may raise an item, including of concern or clarification, related to this Agreement by giving written notice to all Parties. The Working Group will meet within 60 days of receipt of such notice to consider and/or advise on the item raised.

## **8 COSTS**

- 8.1 Any and all costs and expenses of a Party in relation to this Agreement shall be borne by the Party, individually, unless otherwise agreed to in writing by all of the Parties.

## **9 COMMUNICATION**

- 9.1 This Agreement, and any amendments to this Agreement, shall be published on the CFTA website.
- 9.2 Parties shall use best efforts to make this Agreement and any amendments known to:

- a their employees, agents, officers, representatives, and certifying authorities by way of internal policies and guidelines to ensure compliance; and,
  - b individuals in their jurisdiction who are subject to, or who could be expected to be impacted by, this Agreement.
- 9.3 Each Party will designate one or more persons (“Designates”) who will be responsible for the administration of this Agreement and act as their Party’s contact person.
- 9.4 A Party shall notify other Parties of regulatory amendments relating to CRN, as outlined in Article 402 of the CFTA.

## 10 CONFIDENTIAL INFORMATION

- 10.1 Information gathered by the Parties in carrying out this Agreement is subject to the applicable federal, provincial, and territorial legislation regarding access to information and privacy. No Party shall disclose confidential information except where disclosure is authorized by law, or with the written consent of the other Party. Where a Party is required by law to disclose information, that Party shall notify the affected Party as soon as possible.

## 11 NOTICE

- 11.1 Any notice, information, or document required under this Agreement is deemed delivered if forwarded by facsimile, email, or mail. Any notice sent by facsimile or email is deemed received one (1) working day after it is sent; any notice mailed is deemed received eight (8) working days after being mailed. It is the responsibility of each Party to promptly and effectively communicate notices under this Agreement within 30 days, as required by Section 11.2.
- 11.2 All notices, information, and documents must be sent to Designates set out in Schedule A.

## 12 COUNTERPARTS

- 12.1 This Agreement, and any amendment to this Agreement, may be signed in counterpart.

## 13 DEFINITIONS

- 13.1 For the purposes of this Agreement, except as otherwise provided:

**ACI** means the Association of Chief Inspectors;

**Agreement** means this Reconciliation Agreement for the Canadian Registration Number (CRN) for Pressure Equipment together with all Schedules attached or hereto, as may be amended;

**CFTA** means the Canadian Free Trade Agreement, as amended;

**CRN** means the Canadian Registration Number, which, as per CSA B51, as amended, means a registration number, allotted by a provincial or territorial regulatory authority, that allows a boiler, pressure vessel, or fitting to be used in a jurisdiction;

**CRN application** means the application, submitted by a manufacturer, for a CRN;

**CRN design review** is a technical review (e.g. of prescriptive or engineering requirements) of a pressure equipment design, which is accepted, but not necessarily conducted, by the regulatory authority;

**CRN registration** is an administrative process whereby a pressure equipment design is assigned a CRN based on the design review;

**CSA B51** is a standard developed by CSA Group. The current edition of the standard is CSA B51-14, *Boiler, pressure vessel, and pressure piping code*;

**implementation** means the period following the Agreement's signature by Parties and the date listed in Section 3, "Entry into Force and Timelines for Implementation;"

**incorporation by reference** means a drafting technique used to include the content of a document, in whole or in part, in regulatory text as if it were reproduced directly in the text of the regulation. A standard that is incorporated by reference in a regulation is mandatory and legally binding, as in the case of CSA B51;

**mutual recognition** means the outcome of this Agreement whereby Parties recognize one another's regulatory and administrative processes related to the issuance of CRN, specifically that:

- a manufacturers are required to submit only one CRN application;
- b only one CRN design review is necessary;
- c the CRN issued by a Party or their delegated authority, as applicable, will be recognized as valid and accepted by all other Parties; and,
- d no additional material procedures related to CRN design review or issuance of the CRN are required on behalf of the manufacturer.

**NPSAC** means the National Public Safety Advisory Committee;

**qualified individual** means an individual that meets the qualification requirements established by the Party in which they are employed;

**RCT** means the Regulatory Reconciliation and Cooperation Table, established by the Parties to the CFTA, mandated to oversee the regulatory reconciliation and cooperation processes in accordance with Annex 404 of the CFTA;

**reconciliation**, as per the CFTA, is the outcome of the implementation of a reconciliation agreement whereby the regulatory measures identified in that reconciliation agreement no longer act as a barrier to trade, investment, or labour mobility within Canada;

**regulatory authority**, is a body responsible for administering and enforcing an act and/or regulations governing the design, fabrication, installation, repair, and alteration of boilers, pressure vessels, and fittings;

**regulatory measure**, as per the CFTA, includes any decree, regulation, standard, order, requirement, procedure, process, assessment, legislation, or other instrument, with the exception of occupational standards;

**Working Group** means the Provincial-Territorial Advisory Committee (PTAC), a statutory committee of the Standards Council of Canada, or such parties as the RCT assigns from time to time.

- 13.2 If additional definitions are required for the functioning of this Agreement, including as a result of an amendment, Parties shall use definitions listed in Chapter Thirteen of the CFTA to the greatest extent possible.

**SCHEDULES:**

**A Designates**

**B Regulations that Incorporate CSA B51 by Reference**

**C Implementation Plan**

## **SCHEDULE A: Designates**

Parties' designates are members of the Provincial-Territorial Advisory Committee (PTAC). The full membership list is accessible at <https://www.scc.ca/en/about-scc/governance/advisory-committees-at-scc/ptac>.

Information can also be requested through [ptac\\_secretary@scc.ca](mailto:ptac_secretary@scc.ca).



## SCHEDULE B: Regulations that Incorporate CSA B51 by Reference

The table below identifies all provincial and territorial regulations that make reference to CSA B51. Regulations are identified by Party along with the version of CSA B51 that is incorporated by reference. Undated references incorporate by reference the latest version, which is currently CSA B51-14, but will change once a new version of CSA B51 is published. As a result of this Agreement, regulatory amendments may be required to the following:

Party	Regulation	Version of CSA B51 Incorporated by Reference
British Columbia	<i>Power Engineers, Boiler, Pressure Vessel and Refrigeration Safety Regulation, BC Reg 104/2004</i>	CSA B51/B51-14
	<i>Occupational Health and Safety Regulation, BC Reg 296/97</i>	B51-M1991
Manitoba	<i>Anhydrous Ammonia Handling and Transport Regulation, Man Reg 236/89</i>	CSA B51
	<i>Steam and Pressure Plants Regulation, Man Reg 108/87 R</i>	CSA B51
	<i>Drilling and Production Regulation, Man Reg 111/94</i>	B51-M1991
New Brunswick	<i>Standards Regulation, NB Reg 84-177</i>	CSA B51-14
	<i>General Regulation, NB Reg 91-191</i>	CSA B51-97
Newfoundland and Labrador	<i>Offshore Petroleum Installations Newfoundland and Labrador Regulations, NLR 20/97</i>	CSA B51-M91
	<i>Boiler, Pressure Vessel and Compressed Gas Regulations, NLR 119/96</i>	CSA B51
Northwest Territories	<i>Mine Health and Safety Regulations, NWT Reg 125-95</i>	CSA B51-95
	<i>Gas Protection Regulations, RRNWT 1990, c G-1</i>	CSA B51
	<i>Oil and Gas Installations Regulations, NWT Reg 029-2014</i>	CSA B51-M91
	<i>Boilers and Pressure Vessels Regulations, NWT Reg 006-93</i>	CSA B51
Nova Scotia	<i>Boiler and Pressure Equipment Regulations, NS Reg 10/2011</i>	CSA B51
	<i>Nova Scotia Offshore Area Petroleum Installations Regulations, NS Reg 166/97</i>	CSA B51-M91
	<i>Technical Safety Standards Regulations, NS Reg 102/2014</i>	CSA B51-14
Nunavut	<i>Boilers and Pressure Vessels Regulations, NWT Reg (Nu) 006-93</i>	CSA B51-M91
	<i>Mine Health and Safety Regulations, NWT Reg (Nu) 125-95</i>	CSA B51-95
	<i>Gas Protection Regulations, RRNWT (Nu) 1990 c G-1</i>	CSA B51-M86
Ontario	The Code Adoption Document as referenced in O. Reg. 220/01 ( <i>Boilers and Pressure Vessels</i> ), under the Technical Standards and Safety Act, 2000. Boilers and Pressure Vessels Safety	CSA B51-14

	Program, Ref No. BPV-18-01, June 28, 2018.	
Prince Edward Island	<i>Amusement Devices Act Regulations, PEI Reg EC627/02</i>	CSA B51-14
	<i>Boilers and Pressure Vessels Act Regulations, PEI Reg EC234/85</i>	CSA B51-14
Québec	<i>Regulation respecting pressure installations, CQLR c B-1.1, r 6.1</i>	CSA B51
	<i>Construction Code, CQLR c B-1.1, r 2 (CQLR c B-1.1, r 2)</i>	B51-M1991/B51-03/B51-97
Saskatchewan	<i>The Boiler and Pressure Vessel Regulations, 2017, RRS c B-5.1 Reg 2</i>	CSA B51-14
Yukon	<i>Boilers and Pressure Vessels Act Regulations, YOIC 1980/303</i>	CSA B51-1972
	<i>Gas Regulations, YOIC 1998/213</i>	CSA B51-97

### SCHEDULE C: Implementation Plan

The Working Group is responsible for ensuring the items below are completed as per the applicable timelines and in conjunction with the relevant stakeholder group:

	Item	Key Stakeholder	Timeline
Administrative Procedures	Information-sharing on jurisdictional processes and notification feature with additional access for regulatory authorities	NPSAC	June 30, 2019
	Administrative procedures for existing CRN	ACI	June 30, 2019
	Bilingual CRN application form	ACI	December 31, 2019
Regulatory Requirements	Administrative amendments to CSA B51	CSA Group	December 31, 2019
	Adoption of latest version of CSA B51	Parties	December 31, 2019
	Resulting consequential amendments and policy changes, as applicable	Parties	December 31, 2019