

INTERPRETATION

To Sections 19(7)(a); 2(2)(a); 18(1)(b)(i); Table 3; 20(1)(a);
16(1)(b)(i), 17(1)(b)(i) and 18(1)(b)(i); 18(2); 2(8) and 28(g)
of the
Power Engineers Regulation (AR 85/2003)

INTRODUCTION

Power Engineers Regulation (AR 85/2003) came into force on May 1, 2003 superseding the Engineer's Regulations (AR 319/75). Editorial changes and typographical errors in the new regulation necessitate the issuance of the following interpretation to the respective sections of the regulation:-

This Interpretation applies to the sections listed above and was prepared to clarify the following issues generated from these sections.

Interpretation 1 Section 19(7)(a) Qualification for Special Examination

*Section 19(7)(a) should be interpreted as requiring 6 months experience in a **heating** plant that has a capacity exceeding 750 kW.*

Background

The 4th Class Power Engineer's Certificate of Competency that was issued before September 1, 1998 (old 4th Class) is restricted to power plant operation while The 4th Class Power Engineer's Certificate of Competency that was issued after September 1, 1998 is for the operation of both power and heating plants. Candidates holding the old 4th Class Certification are required to have experience in a **heating** plant in order to upgrade the certificate of competency. A typographical error resulted in the word "power" in place of "heating" mistakenly used in Section 19(7)(a) thus giving the impression that the 6 months experience required would be in a power plant instead of in a heating plant.

Interpretation 2
Section 2(2)(a) Exemption for Power Plants
with aggregate capacity not exceeding 0.085 m³

Section 2(2)(a) should be interpreted as power plants with aggregate capacity not exceeding 0.085 m³ are exempt from supervision.

Background

Section 2(2)(a) while exempting power plants with an aggregate capacity not exceeding 0.085 m³ from continuous and overall supervision, gives an impression that such plants are subject to general supervision. Low hazard power plants with aggregate capacity not exceeding 0.085 m³ have always been exempted previously in the Engineer's Regulations (see Section 2(1)(d) of AR 319/75) and there was no intention to introduce changes in this area.

Interpretation 3
Section 18(1)(b)(i) Qualification for 3rd Class Examination

Section 18(1)(b)(i) the word "and" should be interpreted as "or" and thus each of the positions is to be considered independently in determining the acceptable power plant.

Background

In Section 18(1)(b)(i), the word "and" was mistakenly used instead of the word "or" giving the impression that the power plant capacity is required by the Regulation to exceed 5000 kW and not exceed 10 000 kW (2nd Class power plant). Experience of Power Engineers working in a senior position in a smaller capacity power plant or working in a junior position in a larger capacity power plant were accepted in previous Engineer's Regulations (AR 319/75) and there was no intention to introduce changes in this area.

Interpretation 4
Table 3 and Section 2(5)

Table 3 should be interpreted as a certificate of competency is not required for a power plant not exceeding 20 kW but is required for a power plant exceeding 20 kW.

Background

Table 3 appears to indicate that no certificate of competency is required for the listed power plants not exceeding 250 kW. Section 2(5) clearly states the requirement of general supervision for a stationary power plant exceeding 20 kW and not exceeding 250 kW and it must be supervised by a person who holds a certificate of competency that meets or exceeds the authorized scope of a Special Boiler Operator's Certificate of Competency. Same requirement was previously stated in Engineer's Regulations (AR 319/75) in Section 2(2)(c).

Interpretation 5

Section 20(1)(a) 5th Class Power Engineering Course

*Section 20(1)(a) should be interpreted as “a course in **power** and heating plant operation”.*

Background

A 5th Class Certificate of Competency allows a person to supervise the operation of both a power plant and a heating plant. Section 20(1)(a) mentions “a course in **boiler** and heating plant operation”. The term “boiler” alone can be any boiler and does not define the requirement of power boiler or power plant. A boiler can be a power boiler or a heating boiler.

Interpretation 6

16(1)(b)(i), 17(1)(b)(i) and 18(1)(b)(i)

Experience Required for 1st, 2nd, or 3rd Class Certification Examination

*Sections 16(1)(b)(i), 17(1)(b)(i) and 18(1)(b)(i) should be interpreted as the experience in a specific position in a power plant of a certain capacity for which the Regulation requires **that position** to hold at least the **minimum** Class of Certificate of Competency.*

Qualification requirements stated in Section 16(1)(b)(i) means:

30 months as chief power engineer in a power plant that is required to employ in the chief power engineer position a person who holds at least a 2nd Class Power Engineer’s Certificate of Competency (2nd class power plant), or

30 months as shift engineer in a power plant that is required to employ in the shift engineer position a person who holds at least a 2nd Class Power Engineer’s Certificate of Competency (1st class power plant).

Similarly, qualification requirements under Section 17(1)(b)(i) include the following positions that are required to hold at least a 3rd Class Power Engineer’s Certificate of Competency:

- *24 months as chief power engineer in a 3rd class power plant,*
- *24 months as shift engineer in a 2nd class power plant,*
- *24 months as assistant shift engineer in a 2nd class power plant, or*
- *24 months as assistant engineer in a 1st class power plant.*

Qualification requirements for Section 18(1)(b)(i) include the following positions that are required to hold at least a 4th Class Power Engineer’s Certificate of Competency:

- *12 months as chief power engineer in a 4th class power plant,*
- *12 months as shift engineer in a 3rd class power plant,*
- *12 months as assistant shift engineer in a 3rd class power plant, or*
- *12 months as assistant engineer in a 2nd class power plant.*

Background

The provisions are for equivalency of experience of Power Engineers working in a senior position in a smaller capacity power plant and those working in a junior position in a larger capacity power plant. The same provisions were stated, though in a more lengthy manner, in the Engineer’s Regulations (AR319/75) previously and there was no intention to introduce changes in this area.

Interpretation 7

18(2) Qualification for 3rd Class Examination

Section 18(2) should have referenced Subsection (1)(b)(i),(ii) or (iv).instead of Subsection (1)(a)(i), (ii) or (iv)

Background

A typographical error resulted in Section 18(2) referring a non-existent Subsection (1)(a)(i), (ii) or (iv).

Interpretation 8

Section 2(8) Continuous and Overall Supervision of Listed Power Plants

The types of boilers identified in Section 2(8), that exceed a capacity of 20 kW, must be operated under the continuous and overall supervision of a person who holds a certificate of competency of a class that is required by the Regulation, and Sections 2(2) and 2(5) are not applicable to these boilers.

Background

Traction boilers; boilers operating in a parade or used in a display or for the purpose of entertainment; and locomotive boilers to which the Act applies, pose a high public safety hazard. Accordingly, continuous and overall supervision of these boilers by a certified power engineer is required.

Section 2(1) of the Regulation requires a power plant to be operated under the continuous and overall supervision of power engineer(s) meeting the minimum certificate of competency requirements of the Regulation. Section 2(8) specifically requires continuous and overall supervision for the types of boilers identified. Section 2(2) and Section 2(5) provides certain exemptions to power plants and it may be incorrectly inferred that these sections could also be applicable to the boilers identified in Section 2(8).

Interpretation 9

Section 28(g) Disqualifying A Candidate From Writing

*Section 28(g) should be interpreted as disqualifying a candidate, who **fails any 3 examination papers in succession, or who fails the same examination paper 3 times**, for any certificate of competency, from writing another examination for a period not exceeding 12 months after the date of the last failed examination.*

Background

Repeated failures would indicate a lack of knowledge of the subject matter. The intention of the disqualification is to encourage the candidate to study or upgrade knowledge in subjects listed in the reference syllabus to allow for the necessary competency for certification.

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