

ITS G Guide 01

The Technical Safety Act and the Technical Safety Regulation

Issued: August 1, 2026

Effective: September 1, 2026

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Executive Summary

The Manitoba government is modernizing the province's technical safety framework through the phased implementation of The Technical Safety Act and the Technical Safety Regulation.

Phase 1 will come into force on September 1, 2026, as part of a multi-year plan to consolidate Manitoba's technical safety statutes under a single Act and regulation. Phase 1 replaces the existing Amusements Act and Elevator Act and their associated regulations.

At this stage, the Technical Safety Regulation applies the new framework to amusement rides and elevating devices only. Future phases will expand the framework to other technical safety areas including electrical equipment and licensing, gas and oil-burning equipment, boilers and pressure vessels, refrigeration systems and power engineers.

The amusement rides schedule in the Technical Safety Regulation adopts updated standards, transitions the program to a permitting model, and requires owners to maintain a minimum of \$2 million in liability insurance.

The elevating devices schedule includes the adoption of updated equipment codes and standards, streamlines permitting requirements, and establishes a formal licensing framework for elevating device mechanics by introducing a Class A Licence and a Class B Licence.

Introduction

The Technical Safety Act and the Technical Safety Regulation establish a modern, unified framework for the safe installation, operation, and maintenance of regulated technical safety equipment and work in Manitoba. Inspection and Technical Services, a division within the Department of Labour and Immigration, is responsible for administering and enforcing this legislation.

This guide provides a high-level overview of the following information:

- The Technical Safety Act
- The Technical Safety Regulation
- General provisions that relate to regulated equipment and regulated work
- Equipment-specific provisions related to Amusement Rides
- Equipment-specific provisions related to Elevating Devices

Note: This document provides general information only. The Technical Safety Act and the Technical Safety Regulation should be referenced alongside this guide for a complete understanding of requirements. In the event of a conflict between this guide and the legislation, The Technical Safety Act and the Technical Safety Regulation prevail.

The Technical Safety Act

When fully implemented, The Technical Safety Act will consolidate and replace six existing technical safety statutes, including:

- The Elevator Act
- The Amusements Act
- The Electricians' Licence Act
- The Gas and Oil Burner Act
- The Steam and Pressure Plants Act
- The Power Engineers Act

Purpose

The Technical Safety Act modernizes Manitoba's technical safety framework by:

- establishing consistent processes and enforcement mechanisms;
- providing flexibility to adapt to new technologies;
- ensuring equitable treatment of stakeholders across equipment areas;
- removing outdated and redundant requirements; and
- introducing consistent penalty and appeal provisions.

Phased Implementation

A phased approach will be used to transition existing technical safety acts, and their associated regulations, to The Technical Safety Act.

- Phase 1 (effective September 1, 2026) applies to only Amusement Rides and Elevating Devices.
- Schedules for other technical safety equipment will be developed and phased in over time.

Key Functions

The Technical Safety Act establishes the framework for:

- reporting of dangerous incidents and technical safety risks;
- installation and operating permits;
- licences and certificates;
- orders, reconsiderations, reviews and appeals; and
- administrative penalties and enforcement.

The Technical Safety Regulation

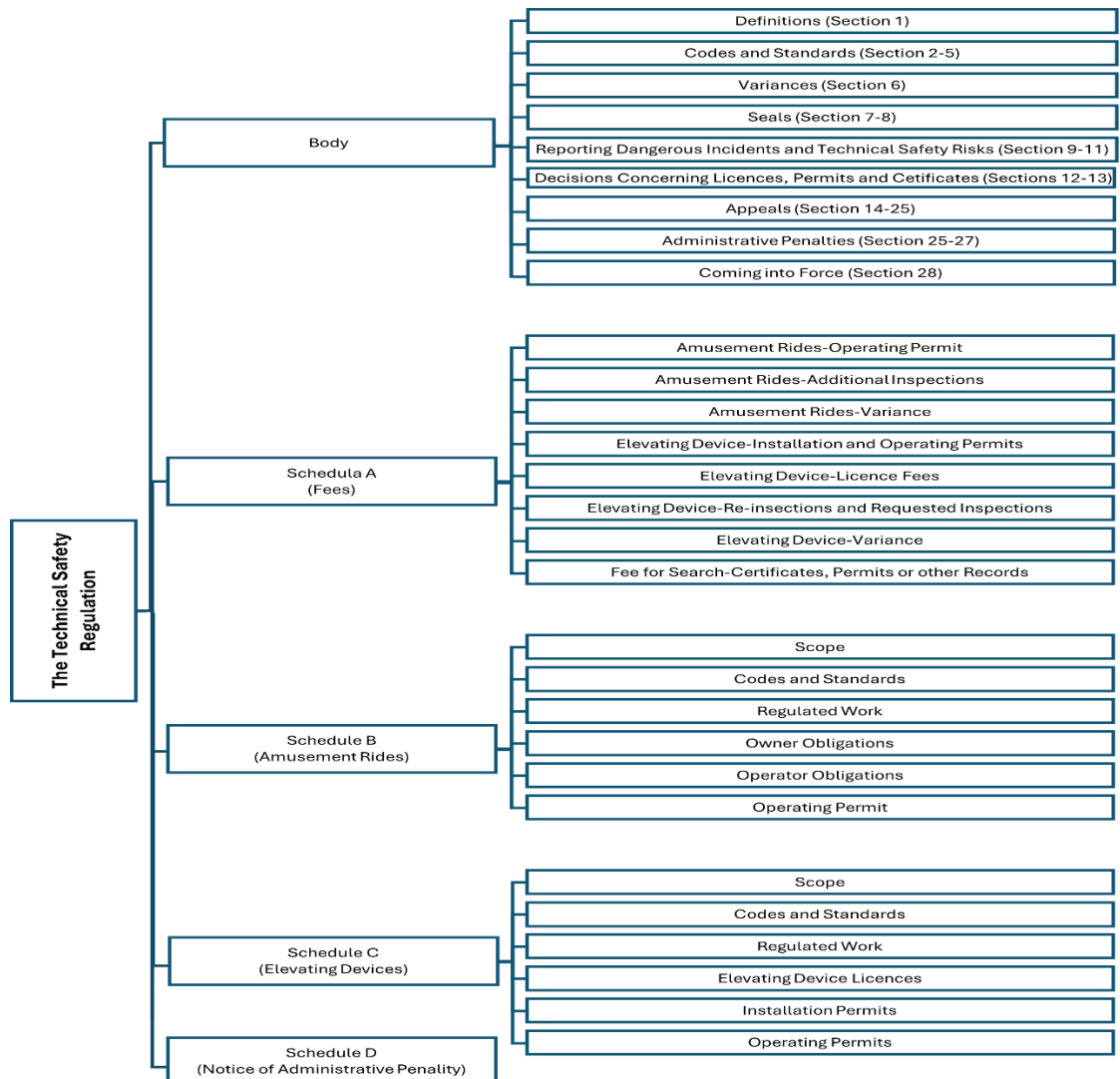
The Technical Safety Regulation supports The Technical Safety Act by defining the requirements, processes, and fees applicable to each regulated equipment type.

The Technical Safety Regulation contains both:

- general provisions, which apply to all regulated equipment and regulated work; and
- equipment-specific schedules, which set out requirements and processes for each individual equipment type.

The Technical Safety Regulation is structured as a general body supported by equipment-specific schedules. Each schedule sets out the application, codes, standards and requirements that apply to that equipment type.

Figure 1-Structure of the Technical Safety Regulation



General Provisions

The following provisions apply to all regulated work and regulated equipment types.

Codes and Standards

Regulated work and regulated equipment must comply with the applicable codes and standards adopted in the Technical Safety Regulation. Information about the codes and standards adopted for each equipment type can be found in the corresponding equipment-specific schedule:

- Amusement Rides (Schedule B)
- Elevating Devices (Schedule C)

Licences

Individuals performing regulated work, such as installation, maintenance, alteration, testing or repair, must hold a valid licence unless stated otherwise in the equipment-specific schedule.

Variances

Inspection and Technical Services may grant a variance where an alternate method provides the same or greater level of technical safety.

A variance may authorize a substitute method of compliance, a deviation from a requirement, or a use of regulated equipment other than the standard use, if the proposed use is not specifically prohibited and Inspection and Technical Services is satisfied the variance provides the same or greater level of technical safety.

Orders

Inspectors may issue written or verbal orders when non-compliance or a technical safety risk is identified. If a verbal order is issued following an inspection or site visit, it will be confirmed in writing by the Inspector within 72 hours.

An order may require that specific work, repairs, or modifications be completed on regulated equipment within a defined timeframe before it may be used, operated, or returned to service.

Seals

Inspection and Technical Services may seal regulated equipment for safety reasons. Sealed equipment must not be used or operated, and the seal must not be removed, changed, damaged or tampered with, unless authorized by Inspection and Technical Services.

Tampering with or removing a seal without authorization is an offence and may result in enforcement action.

Reporting of Dangerous Incidents and Technical Safety Risks

Owners, permit holders and persons performing regulated work must report dangerous incidents and

technical safety risks involving regulated equipment or regulated work to Inspection and Technical Services.

Reports must be made as soon as it is safe and practical to do so.

Reports help Inspection and Technical Services assess the incident or risk, determine whether follow-up is required, and support public safety.

A separate report may not be required if the incident has already been reported as required under specified workplace safety and health or environmental reporting requirements.

Installation and Operating Permits

Installation Permits are required for the installation or alteration of regulated equipment, unless stated otherwise in the equipment-specific schedule. Operating Permits are required to operate regulated equipment.

Permit information can be found in the corresponding equipment-specific schedule:

- Amusement Rides (Schedule B)
- Elevating Devices (Schedule C)

Reconsideration, Review and Appeal Process

An individual or organization can ask that the Director to reconsider some decisions, including decisions to deny, suspend or cancel a licence, permit or certificate. An individual or organization can also ask the Director to review an Inspector's order.

A request for reconsideration or review must be submitted within 14 days after the individual or organization receives the decision or order.

After reconsidering a decision or reviewing an order, the Director may confirm, vary or rescind the decision or order.

If the individual or organization is not satisfied with the Director's reconsideration or review decision, they can appeal to the Technical Safety Appeal Board within 14 days, where an appeal is available.

Administrative penalties follow a separate process. An individual or organization that receives a notice of administrative penalty can ask the Director to reconsider the penalty within 14 days. If they are not satisfied with the Director's reconsideration decision, they can appeal to the Manitoba Court of King's Bench within 30 days.

The Technical Safety Appeal Board

Appeals from Director reconsideration or review decisions are heard by a Technical Safety Appeal Board appointed by the Minister.

The Board is made up of members who are knowledgeable about safety matters relating to regulated equipment or regulated work.

The Appeal Board may confirm, vary or rescind the Director's decision, or dismiss the appeal.

Decisions of the Appeal Board are final and binding.

Administrative Penalties and Offences

Inspection and Technical Services may take enforcement action when a person or organization does not comply with The Technical Safety Act or the Technical Safety Regulation.

Depending on the circumstances, enforcement action may include an administrative penalty or prosecution for an offence.

Administrative Penalties

Inspection and Technical Services may issue an administrative penalty to an individual or organization without requiring prosecution in court.

Examples of contraventions include:

- performing regulated work without a valid licence;
- installing or operating equipment without a valid permit;
- failing to comply with an order;
- concealing regulated work before inspection; and
- operating equipment contrary to permit terms or conditions.

Penalty amounts are as follows:

- \$2,500 for a first contravention.
- \$5,000 for a second or subsequent contravention.

An individual or organization that receives a notice of administrative penalty may request reconsideration by the Director. If the individual or organization is not satisfied with the Director's reconsideration decision, they may appeal to the Manitoba Court of King's Bench within 30 days after being given the decision.

Offences

More serious or intentional non-compliance may be prosecuted as an offence and may result in higher penalties or imprisonment.

On conviction, penalties may include:

- for individuals, up to \$125,000 for a first offence and up to \$250,000 for a second or subsequent offence, and/or up to six months imprisonment; and
- for corporations, up to \$500,000 for a first offence and up to \$1,000,000 for a second or subsequent offence.

Examples of conduct that may result in enforcement action include tampering with sealed equipment, installing or operating regulated equipment without authorization, falsifying records, or failing to comply with an order.

Fees (Schedule A)

Schedule A sets out the fees that apply under the Technical Safety Regulation. These include fees for permits, licences, inspections, variance applications and record searches.

Amusement ride fees and elevating device fees are summarized in the equipment-specific sections of this guide.

Equipment-Specific Provisions: Amusement Rides (Schedule B)

Schedule B of the Technical Safety Regulation applies to amusement rides and sets out requirements for their operation, inspection, permitting and related work.

An amusement ride is a device, or combination of devices that carry, convey or direct one or more persons over or through a fixed or restricted course, or within a defined area, for the primary purpose of amusement or entertainment.

Devices excluded from the amusement ride requirements include certain small rides, private-use rides, inflatables, water slides and other devices specified in Schedule B of the Technical Safety Regulation.

Codes

The Technical Safety Regulation adopts ASTM F2783-20-Standard Practice for Design, Manufacture, Operation, Maintenance, and Inspection of Amusement Rides and Devices, in Canada, and the following supporting standards:

- ASTM F747-24-Standard Terminology Relating to Amusement Rides and Devices;
- ASTM F770-24-Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices;
- ASTM F2974-24a-Standard Practice for Auditing Amusement Rides and Devices; and
- ASTM F2007-24-Standard Practice for Design, Manufacture, and Operation of Concession Go-Karts and Facilities.

Permitting

The Technical Safety Regulation replaces the previous amusement ride inspection-fee model with an annual operating permit framework.

Owners are required to obtain an operating permit for each amusement ride before the ride is operated. Before an operating permit can be issued, the ride must be inspected by Inspection and Technical Services and approved for operation.

An operating permit expires on March 31 following the date it is issued, unless it is suspended or cancelled earlier.

Licensing

A licence is not required for amusement ride operators or for individuals who assemble, install, maintain, alter, repair or test amusement rides.

However, owners must ensure that each person who performs this work is competent to do so. In determining competency, the owner must consider the person's knowledge, maturity, training and experience.

Owners must also ensure that amusement ride operators are at least 16 years old and are familiar with the requirements that apply to the ride, including the applicable codes and standards and the manufacturer's specifications and recommendations. Operators must follow those requirements when operating the ride.

Liability Insurance

Amusement ride owners are required to carry a minimum of \$2 million in liability insurance.

Fee Structure

The Technical Safety Regulation bases operating permit fees on ride complexity and inspection time, distinguishing between Major Rides and Kiddie Rides:

- Major Rides: \$150 per ride, portable and non-portable
- Kiddie Rides: \$100 per ride, portable and non-portable, for a ride designed primarily for use by a child aged 12 or under
- Additional inspections: \$300 for a second or subsequent inspection
- Variance application \$350

Equipment-Specific Provisions: Elevating Devices (Schedule C)

Schedule C of the Technical Safety Regulation governs the installation, maintenance, and operation of the following elevating devices:

- Elevators
- Escalators
- Dumbwaiters
- Moving Walks
- Material Lifts
- Manlifts
- Platform and Stair Lifts for Barrier-free Access
- Passenger ropeways and conveyors
- Personnel hoists

Codes

The Technical Safety Regulation adopts the following elevating device codes:

- ASME A17.1-2019/CSA B44:19-Safety Code for Elevators and Escalators;
- CSA B355:19-Platform Lifts and Stair Lifts for Barrier-Free Access;
- CSA B311:24-Safety Code for Manlifts;
- CSA Z98:19-Passenger Ropeways and Passenger Conveyors; and
- CSA Z185:23-Safety Code for Personnel Hoists.

These codes set the requirements for the design, installation, maintenance, testing and inspection of elevating devices.

Permitting

The Technical Safety Regulation establishes separate permits for the installation and operation of elevating devices.

Installation Permits

Installation permits must be obtained before work begins for new installations and major alterations.

Operating Permits

Operating permits are required before an elevating device is operated. An operating permit is valid for one year, unless Inspection and Technical Services imposes a different duration as a term or condition.

Operating permit fees are based on the anticipated inspection frequency assigned to the device, which may be annual, biennial or triennial.

If an elevating device operating permit is transferred, written notice of the transfer must be provided to Inspection and Technical Services within 14 days. The operating permit must be kept on the same premises as the elevating device and be readily accessible.

Fee Structure

The Technical Safety Regulation includes fees for elevating device installation permits and operating permits. Fees vary by device type and anticipated inspection frequency.

Type of Elevating Device	Installation Permit ⁺	Annual Operating Permit (anticipated inspection frequency)		
		Annual*	Biennial*	Triennial*
Passenger Elevator	\$824	\$312	\$281	\$250
Freight Elevator	\$824	\$312	\$281	\$250
Escalator	\$824	\$312	\$281	\$250
Dumbwaiter	\$412	\$156	\$141	\$125
Manlift	\$824	\$234	\$211	\$187
Personnel Hoist	\$515	-	-	-
Moving Walk	\$824	\$312	\$281	\$250
Platform lifts and stair lifts for barrier-free access	\$824	\$156	\$141	\$125
Material Lift	\$824	\$312	\$281	\$250
Ski Chairlift	\$824	\$787	-	-
Rope Tow	\$412	\$234	-	-
Ski Tow	\$412	\$234	-	-

⁺ Includes drawing review.

* The director may require the annual, biennial or triennial fee for an operating permit be paid based on the anticipated frequency of inspections needed to ensure that the elevating device in question does not present an unacceptable technical safety risk.

Additional elevating device fees include:

- \$134 per hour for an inspection requested by an owner, or for a re-inspection to determine compliance with an order or the technical safety of an elevating device;
- \$350 for a variance application; and
- \$160 for a Class A or Class B licence issued for a four-year term. If a licence is issued for a shorter term, the fee is \$40 for each year, or part of a year, included in the licence term.

Licences

The Technical Safety Regulation establishes new licensing requirements for individuals performing regulated work on elevating devices. These provisions replace the former Elevator Limited Specialized Electrician (M-A) Licence with two new licence classes.

“Regulated work” includes assembling, constructing, installing, maintaining, altering, testing, or repairing:

- Dumbwaiters
- Elevators
- Escalators
- Material Lifts
- Moving Walks
- Manlifts
- Platform and Stair Lifts for Barrier-Free Access

Class A Licence

A Class A Licence authorizes regulated work on dumbwaiters, elevators, escalators, material lifts, moving walks and manlifts, within the scope of any terms and conditions imposed on the licence.

A Class A licence also authorizes regulated work on platform lifts and stair lifts for barrier-free access.

A person is qualified to obtain a Class A Licence if they provide evidence satisfactory to Inspection and Technical Services that they have successfully completed the Canadian Elevator Industry Education Program (CEIEP), or another equivalent program of education and related work experience of at least 7,200 hours of related work experience

Class B Licence

A Class B Licence authorizes regulated work limited to platform lifts and stair lifts for barrier-free access, within the scope of any terms and conditions imposed on the licence.

A person is qualified to obtain a Class B Licence if they provide evidence satisfactory to Inspection and Technical Services that they have successfully completed the National Association of Elevator Contractors' Certified Accessibility Technician Program, or an equivalent program of education and related work experience of at least 3,600 hours.

Transition Provisions for Existing Licence Holders

Individuals who hold an Elevator Limited Specialized Electrician's Licence (M-A licence) or a Journeyperson Electrician Licence with an HC or HI designation, may apply for a Class A or Class B licence during the transition period.

The transition period is September 1, 2026, to September 1, 2031.

During this time, eligible individuals may obtain:

- A Class A Licence by providing evidence satisfactory to Inspection and Technical Services that they have:
 - successfully completed the Canadian Elevator Industry Education Program (CEIEP) or an equivalent education program; or
 - a minimum of 9,000 hours of elevating industry work experience
- A Class B Licence by providing evidence satisfactory to Inspection and Technical Services that they have:
 - successfully completed a recognized accessibility technician program (or equivalent education program); or
 - a minimum of 3,600 hours of elevating industry work experience

Individuals are not required to obtain a Class A or Class B licence immediately. However, they must obtain a Class A Licence or Class B Licence by September 1, 2031, if they intend to continue performing regulated work on elevating devices.

After September 1, 2031, the transition provisions for existing Electricians' Licence Act licence holders will expire. Regulated work on elevating devices may only be performed by a person who holds the

appropriate Class A Licence or Class B Licence, or by a person in a recognized training working under the direct supervision provisions.

As of December 31, 2028, new Elevator Limited Specialized Electrician (M-A) licences will no longer be issued for elevating-device work.

Current M-A licence holders and eligible journeyperson electricians should apply for a Class A or Class B licence before the transition period ends. After the transition period ends, they will need the appropriate Class A or Class B licence to continue performing regulated work on elevating devices.

Training and Supervision

A person enrolled in a recognized training program may perform regulated work only under the direct supervision of a licence holder whose licence authorizes that work.

- A Class A licence holder may supervise not more than one person in training at a job site.
- A Class B licence holder may supervise not more than one person in training at a job site when the work relates to platform lifts or stair lifts for barrier-free access.

Note: Persons enrolled in a recognized training program must be registered with Inspection and Technical Services to ensure compliance with supervision and program recognition requirements.

Licence Term and Renewal

Class A and Class B elevating device licences are valid for four years, unless Inspection and Technical Services imposes a different duration as a term or condition of the licence.

Renewal applications submitted after a licence expires may be subject to late renewal fees, and applications received more than four years after expiry are treated as new licence applications.

Reference Documents

- The Technical Safety Act
- The Technical Safety Regulation

Contact

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