



<b>Elevating and Amusement Devices Safety Program</b>	Ref. No.: 270 / 17
<b>ADVISORY</b>	Date: December 4, 2017

**Subject: Construction Hoists in the Tunneling Sector**  
**Distribution: TSSA website**

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TSSA is the delegated authority responsible for the enforcement of the Elevating Devices regulation (O. Reg 209/01) under the Technical Standards and Safety Act, 2000. The regulation applies to all new and existing elevating devices, including material hoists, and TSSA has been responsible for licensing and regulating these devices since the introduction of the regulation.

The Ministry of Labour (MOL) is responsible for the enforcement of requirements of the Construction Projects regulation (O. Reg. 213/91) under the Occupational Health and Safety Act, R.S.O. 1990. Therefore, while it is within MOL's purview to inspect construction project sites, the elevating devices used on construction projects must also be licensed and inspected by TSSA.

MOL and TSSA work collaboratively within the construction industry to fulfill our respective regulatory obligations and communicate concerns that may fall under the other organization's mandate.

With respect to construction hoists being used at inground excavations that provide access to tunnelling activities, TSSA is legally obligated to regulate these devices as they fall under O. Reg 209/01. It is our understanding that the majority of elevating devices used in the tunneling sector have been supplied and installed by the same elevating device contractors who provide hoists to the construction industry for use on building construction sites. Since these contractors are already licensed with TSSA and aware of the regulatory requirements, compliance, operation and licensing has not been identified as an issue.