[Français](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm)

Workplace Safety and Insurance Act, 1997

ONTARIO REGULATION 47/09

Construction Sector — exemptions (partners and executive officers)

**Consolidation Period:** From January 1, 2013 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

No amendments.

This is the English version of a bilingual regulation.

Exemption, conditions

[**1.**(1)](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm#s1s1)  One partner in a partnership carrying on business in construction or one executive officer of a corporation carrying on business in construction is exempt from the application of subsections 12.2 (1) to (4) of the Act if the following conditions are met:

1. The partner or executive officer does not perform any construction work.

2. A declaration is filed with the Board in accordance with section 2. O. Reg. 47/09, s. 1 (1).

(2)  For the purposes of paragraph 1 of subsection (1), the exemption applies even if the partner or executive officer attends at a construction site, so long as he or she does not perform construction work there. O. Reg. 47/09, s. 1 (2).

(3)  The exemption is effective on the day the Board receives the declaration. O. Reg. 47/09, s. 1 (3).

Declaration

[**2.**(1)](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm#s2s1)  The declaration shall be made, in a form approved by the Board, by a person authorized to represent the partnership or corporation, and shall be filed with the Board. O. Reg. 47/09, s. 2 (1).

(2)  The declaration shall,

(a) identify the partner or executive officer by providing his or her full name and any other information that the Board requires;

(b) certify that the partner or executive officer meets the conditions set out in paragraphs 1 and 2 of subsection 1 (1); and

(c) contain the partner’s or executive officer’s signed acknowledgment that he or she,

(i) understands that he or she is not eligible for benefits under the Act in the case of an injury arising out of and in the course of employment, and

(ii) is aware of any other information that the Board includes in the declaration. O. Reg. 47/09, s. 2 (2).

Material change in circumstances

[**3.**](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm#s3)A partnership or corporation on behalf of which a declaration has been filed with the Board shall notify the Board of any material change in circumstances in connection with the exemption, within 10 days after the material change occurs. O. Reg. 47/09, s. 3.

No exemption

[**4.**](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm#s4)If the Board becomes aware that a partner or executive officer named in a declaration that is filed with the Board is not exempt under this Regulation, it shall promptly give a written notice of the fact to the partnership or corporation and a copy of the notice to the partner or executive officer. O. Reg. 47/09, s. 4.

[5.](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm#s5)  Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 47/09, s. 5.

[Français](http://www.e-laws.gov.on.ca/html/regs/french/elaws_regs_090047_f.htm)

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