JURISPRUDENCE PACKAGE FOR OUT OF JURISDICTION

BLASTING CERTIFICATES

May 2012
Certification Services/ WorkSafeBC
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Introduction

Recognition of Out-of-Jurisdiction Certificates

In compliance with the Trade, Investment and Labour Mobility Agreement (TILMA), the Agreement on Internal Trade (AIT), and the New West Partnership Trade Agreement (NWPTA) WorkSafeBC has implemented a process for accepting the certification of workers trained or certified in other Canadian jurisdictions, in occupations under its legislative and regulatory jurisdiction. This process applies to out of province certification underpinned by a regulatory authority in the originating province or territory.

Agreement on Internal Trade (AIT)

One of the purposes of the Agreement is to eliminate or reduce measures that restrict labour mobility in Canada. To that end, the BC Government agreed to recognize workers already certified in another province/territory (i.e. certified, licensed, or registered by a regulatory authority) as eligible for certification in BC.

Labour mobility occurs when certified workers from other jurisdictions are recognized without any additional training, experience, examinations or assessments.

Trade, Investment and Labour Mobility Agreement (TILMA)

This agreement applies to regulators in BC and Alberta that relate to trade, investment, and labour mobility. Regulators shall mutually recognize or otherwise reconcile the existing standards and regulations that operate to restrict or impair trade, investment or labour mobility.

Labour mobility occurs when certified workers from other jurisdictions are recognized without any additional training, experience, examinations or assessments.

New West Partnership Trade Agreement (NWPTA)

Under the NWPTA, British Columbia, Alberta and Saskatchewan agree to reconcile or mutually recognize occupational standards, so people can work in their occupation in all three provinces.

Professionals and skilled tradespersons certified in one province will be recognized as qualified in all three provinces. The benefit of the NWPTA is that workers will not need to go through material examinations or training to practice their chosen occupation.
Preamble

In accordance with the labour mobility requirements in the Agreements, WorkSafeBC will recognize a worker as qualified to work in an occupation in BC who has a valid certificate from another Canadian regulatory authority where:

- A certificate is required under the *Workers Compensation Act* (“WCA”) of BC and/or the *Occupational Health and Safety Regulation* (“OHSR),
- The competencies related to the out-of-jurisdiction certification are consistent with, and within the scope of the competencies required for the same occupation in BC; and,
- The worker complies with any applicable registration in BC process for obtaining a BC certificate for the occupation.

Out of jurisdiction certificates that qualify for the jurisdiction process are;

- Certificates that are issued by a governmental or regulatory agency in another province/territory,
- Certificates that are mandatory to perform certain work in the issuing province/territory,
- The scope of the activities covered by the certificate are similar to the activities covered by a BC certificate of similar kind,
- An Interprovincial Red Seal certification

Blasting certification falls under the scope of the TILMA, the AIT, and/or the NWPTA. Therefore, WorkSafeBC has implemented a process to recognize blasting certificates from other jurisdictions. WorkSafeBC Certification Blasting Officers, on behalf of WorkSafeBC, will issue blasting certification, in accordance with the level of certification the applicants have obtained from their originating jurisdiction.

Blaster’s certificates will normally be issued for 5 years and maybe endorsed with any restriction the Board deems necessary. There are presently 15 codes or types of blaster’s certificates in British Columbia.

http://www2.worksafebc.com/PDFs/blasting/BlastingExaminersProtocols.pdf

This Jurisprudence Package references all the applicable sections of the *WCA*, the *OHSR*, and Guidelines that govern the administration of blasting services to workers in BC industry.

http://www2.worksafebc.com/publications/OHSRegulation/Part21.asp

The following is an example of the WorkSafeBC blasters’ “Application and Examiner’s Report”. This is for viewing only as it is completed with an examiner at the time of the interview.
APPLICATION AND EXAMINER’S REPORT FOR WORKSAFEBC BLASTING CERTIFICATE

Please complete and read all information. Please PRINT clearly.

<table>
<thead>
<tr>
<th>Last name</th>
<th>First name</th>
<th>Middle initial</th>
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<tr>
<th>Mailing address</th>
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<tr>
<th>City</th>
<th>Province/State</th>
<th>Postal code/Zip</th>
<th>Telephone number (please include area code)</th>
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<th>E-mail address</th>
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Please submit proof of experience (Blasters’ Log Book) along with the required $140.00 fee at the time of your scheduled examination. If this is your first application, you are required to provide written proof of your character, knowledge, and experience. For this purpose you may submit a letter or notarized statement containing the required information.

This application is for

- [ ] First-time
- [ ] Renewal
- [ ] Re-write
- [ ] Upgrade
- [ ] Replacement ticket

Have you previously applied for a WorkSafeBC (WCB) Blasting Certificate?

- [ ] Yes
- [ ] No

If yes, when? (approximate) (mm/dd/yy)

At which WorkSafeBC office?

<table>
<thead>
<tr>
<th>Do you hold any other blasting certificate?</th>
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</thead>
</table>
| - [ ] Yes
- [ ] No |

<table>
<thead>
<tr>
<th>Have you taken any training in blasting or explosives?</th>
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</table>
| - [ ] Yes
- [ ] No |

What is the total period of time that you actively participated in preparing, fixing, and firing of explosive charge?

- [ ] __________ years
- [ ] __________ months

Describe the type(s) of blasting experience such as surface, control, mining, quarry, road, and underground. Record the approximate total number of blasts in which you have used any of the following initiation systems:

- [ ] Safety fuse assembly
- [ ] Shock tube
- [ ] Electrical detonator
- [ ] Multiple series
- [ ] Single series
- [ ] Detonating cord
- [ ] Power line
- [ ] Other

List your blasting experience, starting with the most recent, or if you are renewing, since you last completed an application for a WorkSafeBC Blasting Certificate.

<table>
<thead>
<tr>
<th>Employer</th>
<th>Location</th>
<th>From . . . To (mm/dd/yy)</th>
<th>Job title</th>
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</table>

I hereby make application for a WorkSafeBC Blasting Certificate to be issued under the authority of the Workers Compensation Act. I understand that information provided on this application is material to obtaining a WorkSafeBC Blasting Certificate, and that any inaccuracy or misrepresentation is sufficient reason for WorkSafeBC to suspend or revoke any certificate issued to me pursuant to this application.

Candidate’s signature

Date (mm/dd/yy)

Notice: It is an offense for any person to make, or assist in making, any false representation for the purpose of procuring a blasting certificate for oneself or for any other person. Penalties may include suspension or revocation of the blasting certificate, a sanction against the employer, and prosecution for the persons involved.
### Application and Examiner’s Report for WorkSafeBC Blasting Certificate (continued)

<table>
<thead>
<tr>
<th>For WorkSafeBC use only</th>
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<tbody>
<tr>
<td>Exam date (yyyy-mm-dd)</td>
<td>Examiner (please print)</td>
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<tr>
<td></td>
<td>Exam number</td>
</tr>
<tr>
<td>Location</td>
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<tr>
<td>Proof experience Yes</td>
<td>No</td>
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<tr>
<td>Exam results Pass</td>
<td>Fail</td>
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<table>
<thead>
<tr>
<th>Blasting qualifications/Type</th>
<th>Initiation systems</th>
<th>Endorsements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code 1 — Avalanche control</td>
<td>Safety fuse</td>
<td>Hand charging</td>
</tr>
<tr>
<td>Code 2 — Urban blaster</td>
<td>Shock tube (Nonel or similar)</td>
<td>Comice</td>
</tr>
<tr>
<td>Code 3 — Construction</td>
<td>Electric (single series)</td>
<td>Avaluncher</td>
</tr>
<tr>
<td>Code 4 — Forestry construction</td>
<td>Electro (multiple series)</td>
<td>Helicopter deployment</td>
</tr>
<tr>
<td>Code 5 — Danger tree</td>
<td>Remote firing systems</td>
<td>Seismic loader</td>
</tr>
<tr>
<td>Code 6 — Seismic</td>
<td>Electronic</td>
<td>Seismic shooter</td>
</tr>
<tr>
<td>Code 7 — Explosive joining</td>
<td>Unrestricted initiation system</td>
<td>Seismic shooter/loader</td>
</tr>
<tr>
<td>Code 8 — Underwater</td>
<td>Other (please specify)</td>
<td>Power line</td>
</tr>
<tr>
<td>Code 9 — Explosive ordnance disposal</td>
<td></td>
<td>Transmission power line</td>
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<tr>
<td>Code 10 — Underground</td>
<td></td>
<td>Pipeline</td>
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<tr>
<td>Code 11 — Law enforcement</td>
<td></td>
<td>Explosive hardening</td>
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<tr>
<td>Code 12 — Special effects</td>
<td></td>
<td>Improvised explosive devices disposal</td>
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<tr>
<td>Code 13 — Demolition</td>
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<td>Other (please specify)</td>
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<tr>
<td>Code 14 — Fireline</td>
<td></td>
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<tr>
<td>Code 15 — Other (please specify)</td>
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</table>

Examiner comments

Endorsements

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52M7
Jurisprudence Package For Out-of-Jurisdiction Blasting

1. OBJECTIVE

Each participant will be able to perform the following. The information is outlined in the *Workers Compensation Act*.

- list the general duties of employers
- list the general duties of workers
- list the general duties of supervisors

References:


*Workers Compensation Act*
- Part 3 Division 3 Section 115 to 118
- Part 3 Division 3 Section 163
- Part 3 Division 10 Section 172 (1)
- Part 3 Division 12 Section 195 (1)

OHSR Part 21 Blasting Operations

WorkSafeBC Policy D12-195

To access the *Workers Compensation Act*, Occupational Health & Safety Regulation, Policies, Guidelines and Standard go to www.worksafebc.com

- for the OHSR – click on “OHS Regulation” under Quick Links; then access individual Parts
  http://www2.worksafebc.com/publications/OHSRegulation/Home.asp

- for the *Workers Compensation Act* – click on “OSH Regulation” under Quick Links; then on “Workers Compensation Act” under Acts at the bottom of the buff colored box
  http://www2.worksafebc.com/publications/OHSRegulation/WorkersCompensationAct.asp

- for the OHSR Polices, Guidelines and Standard that relate to Blasting – click on “OHS Regulations” under Quick Links; ”21. Blasting Operations” centre of buff colored box; click on Policy or Guidelines at the top right side of page.
  http://www2.worksafebc.com/Publications/OHSRegulation/Part21.asp
The following questions are intended to give you an opportunity to review the key points from the previous section and to provide you with an indication of your progress.

1. Under the *Workers Compensation Act* Part 3, Division 3, Section 116 (2), in order to take reasonable care to protect the worker's health and safety, and the health and safety of other persons, every worker must:

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2. Under the WCA, part 3, division 3, section 118, what must the prime contractor or owner of a multiple-employer workplace ensure:

   _____________________________________________________________
   _____________________________________________________________
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3. Under the *Workers Compensation Act* Part 3, Division 10, Section 172 (1), an employer must immediately notify WorkSafeBC of the occurrence of any accident that:

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4. Under the *Workers Compensation Act* Part 3, Division 12, Section 195(1), Suspension or cancellation of certificates, WorkSafeBC may:

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2. OBJECTIVE

Each participant will be able to describe the following. The information is outlined in the Occupational Health & Safety Regulation, Policy, and Guideline.

- describe dangerous incident reporting procedures
- explain the requirements for blasting logs
- determine authority to blast
- determine the custody of certificates
- explain suspension of duties by the employer
- explain suspension of duties by WorkSafeBC
- describe the requirements for transporting explosives on a drill rig or other conveyance
- explain the blasters responsibilities
- describe conditions under which a blasting certificate may be suspended or cancelled

References:


[http://www2.worksafebc.com/Publications/OHSRegulation/Policies-WorkersCompensationAct.asp#SectionNumber:PolicesWCPart3Division1](http://www2.worksafebc.com/Publications/OHSRegulation/Policies-WorkersCompensationAct.asp#SectionNumber:PolicesWCPart3Division1)
The following questions are intended to give you an opportunity to review the key points from the previous section and to provide you with an indication of your progress.

1. What documentation is required if a blasting accident occurs which causes personal injury, or if there is any other dangerous incident involving explosives, whether or not there is personal injury, the employer must;

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3. Persons who do not hold blaster’s certificates may assist a blaster, but the blaster must have authority over the assistants and must exercise visual supervision over them and be responsible for their work during explosive loading, priming, fixing or firing. Which OHSR states this?

____________________________________________________________________

4. A blaster of record must keep his/her ________________ on site when carrying out blasting duties.

5. Who may suspend the blaster from performing the duties of a blaster in British Columbia?

____________________________________________________________________
____________________________________________________________________

6. Who may seize and forward to WorkSafeBC a blaster’s certificate if there is reason to believe that the safety of any person may be or has been endangered by the blaster?

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7. What are the requirements to transport explosives on vehicles other than mobile drill rigs?

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8. List the requirements that must be followed when transporting explosives on a drill rig.

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9. Blaster’s responsibility

(1) The blaster must take precautions for the protection of persons and property, including proper loading and stemming of holes, and where necessary, the use of cover for the blast or other effective means of controlling the blast or resultant flying material.

(2) The blaster must ensure that the danger area is clear of workers and is kept clear during the blasting period.

(3) The blaster must post workers who have the sole responsibility of guarding against entry into the danger area of the blast site, and the workers must be instructed as to their duties and responsibilities.

(4) Whistles, signs or other signals may not be used in place of the guards required by subsection (3).

(5) Before sounding the warning signals, the blaster must clear the danger area and post guards as required by subsections (2) to (4), and must ensure that all persons have reached a place of safety.

Which OHSR applies to this statement? ______
10. List the blaster's inappropriate conduct which may warrant suspension of the blasters certificate which is found in G21.15 of the OHSR.

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11. In BC under s. 21.7 of the OHSR, what must the worker be trained in and hold to convey explosives. G21.7 defines:

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12. When must signs (placards) be displayed on a vehicle or conveyance?
APPENDIX A - EXERCISE ANSWER KEYS

Exercise 1

Question 1
Under the Workers Compensation Act Part 3, Division 3, Section 116 (2), in order to take reasonable care to protect the worker's health and safety and the health and safety of other persons, every worker must:

(2) Without limiting subsection (1), a worker must
(a) carry out his or her work in accordance with established safe work procedures as required by this Part and the regulations,

(b) use or wear protective equipment, devices and clothing as required by the regulations,

(c) not engage in horseplay or similar conduct that may endanger the worker or any other person,

(d) ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes,

(e) report to the supervisor or employer
     (i) any contravention of this Part, the regulations or an applicable order of which the worker is aware, and
     (ii) the absence of or defect in any protective equipment, device or clothing, or the existence of any other hazard, that the worker considers is likely to endanger the worker or any other person,

(f) cooperate with the joint committee or worker health and safety representative for the workplace, and

(g) cooperate with the Board, officers of the Board and any other person carrying out a duty under this Part or the regulations.

Question 2
Under the WCA, part 3, division 3, section 118, what must the prime contractor or owner of a multiple-employer workplace ensure:

(a) ensure that the activities of employers, workers and other persons at the workplace relating to occupational health and safety are coordinated, and

(b) do everything that is reasonably practicable to establish and maintain a system or process that will ensure compliance with this Part and the regulations in respect of the workplace.
Question 3
Under the *Workers Compensation Act* Part 3, Division 10, Section 172 (1), an employer must immediately notify WorkSafeBC of the occurrence of any accident that:

(a) resulted in serious injury to or the death of a worker,

(b) involved a major structural failure or collapse of a building, bridge, tower, crane, hoist, temporary construction support system or excavation,

(c) involved the major release of a hazardous substance, or

(d) was an incident required by regulation to be reported.

Question 4
Under the Workers Compensation Act Part 3, Division 12, Section 195, Suspension or cancellation of certificates WorkSafeBC may:

(1) If WorkSafeBC has reasonable grounds for believing that a person who holds a certificate issued under this Part or the regulations has breached a term or condition of the certificate or has otherwise contravened a provision of this Part or the regulations, the Board may, by order:

   (a) cancel or suspend the certificate, or
   (b) place a condition on the use of that certificate that the Board considers is necessary in the circumstances.

(2) An order under this section suspending a certificate must specify the length of time that the suspension is in effect or the condition that must be met before the suspension is no longer in effect.
Exercise 2

Question 1
What documentation is required if a blasting accident occurs which causes personal injury, or if there is any other dangerous incident involving explosives, whether or not there is personal injury, the employer must:

(a) report the incident immediately to WorkSafe BC and,

(b) forward a written report of the incident to WorkSafe BC without undue delay.

(2) The written report of the incident must contain:
- the date, time and location of the incident,
- the names and certificate numbers of all blasters involved,
- the names and occupations of any persons injured,
- the types of explosives, detonators, and blasting machine used,
- a factual account of events including the blaster's log records, and
- the action taken by the employer.

Question 2
List the 4 requirements of a Blast Log record under part 21.4:

(1) The blaster of record must record in a log the preblast loading details and the results of the post blast site inspection.

(2) Blasting logs must be maintained at the blasting site, available for inspection by an officer, workers and worker representatives.

(3) The employer must ensure that blasting logs are kept for at least 5 years after completion of the blasting operation.

(4) The blaster must maintain a personal log of all blasting work that the blaster has performed.

Question 3
Persons who do not hold blaster's certificates may assist a blaster, but the blaster must have authority over the assistants and must exercise visual supervision over them and be responsible for their work during explosive loading, priming, fixing or firing. Which OHSR states this? 21.5

Question 4
A blaster of record must keep his/her Blasting certificate on site when carrying out blasting duties.
**Question 5**  
Who may suspend the blaster from performing the duties of a blaster in British Columbia?

__The employer must immediately investigate the incident and may suspend the blaster from performing the duties of a blaster.__

**Question 6**  
Who may seize and forward to WorkSafeBC a blaster's certificate if there is reason to believe that the safety of any person may be or has been endangered by the blaster?

__An officer of WorkSafeBC.__

**Question 7**  
What are the requirements to transport explosives on vehicles other than mobile drill rigs?

(1) Explosives carried in a vehicle must be in a fully enclosed, locked, fire resistant fixed container or compartment, separate from the passenger compartment.

(2) Electric detonators must be transported in their original containers, with their leg wires shunted, as shipped by the manufacturer.

(3) Detonators must be adequately separated from other explosives during transport.

**Question 8**  
List the requirements that must be followed when transporting explosives on a drill rig.

(a) Explosives and detonators are carried in separate containers built to type 6 or type 10 magazine standard and capacities, with 2 hooded locks, and

(b) the explosives and detonator containers are

   (i) located at least 60 cm (2 ft) apart, with the doors or lids facing at least 90° apart,
   (ii) located above the vehicle deck in a manner which protects the containers from contact with roadside objects and the drilling equipment,
   (iii) located so the contents are not endangered by any heat source on the drill unit,
   (iv) kept locked when outside the blasting area, and securely closed when in the blasting area, except when opened for depositing or removing their contents, and
   (v) attended by the blaster of record, or a qualified person designated by the blaster, at all times when explosives are being carried, unless the prior permission of the Board has been obtained.
**Question 9**

Blaster's responsibility

(1) The blaster must take precautions for the protection of persons and property, including proper loading and stemming of holes, and where necessary, the use of cover for the blast or other effective means of controlling the blast or resultant flying material.

(2) The blaster must ensure that the danger area is clear of workers and is kept clear during the blasting period.

(3) The blaster must post workers who have the sole responsibility of guarding against entry into the danger area of the blast site, and the workers must be instructed as to their duties and responsibilities.

(4) Whistles, signs or other signals may not be used in place of the guards required by subsection (3).

(5) Before sounding the warning signals, the blaster must clear the danger area and post guards as required by subsections (2) to (4), and must ensure that all persons have reached a place of safety.

Which OHSR applies to this statement? **21.66**

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**Question 10**

List the blaster's inappropriate conduct which may warrant suspension of the blaster's certificate which is found in G21.15 of the OHSR.

The following practices endanger the safety of any person:

a) Smoking while handling explosives. This includes a blaster smoking while handling explosives, or permitting others to do so;

b) Using less than three feet (900 millimeters) of safety fuse to fire any shot;

c) Introducing a drill steel, or any other metal object, into a loaded hole;

d) Withdrawing explosives (other than ammonium nitrate/fuel oil (AN/FO) or slurries which may be washed out) from a loaded hole;

e) Using other than an approved blasting machine or safety switch;

f) Failure to adequately guard a blast or to ensure the danger area was clear of workers and other persons;

g) Carrying blasting caps or explosives in clothing pockets, or permitting helpers or other workers to carry explosives in a similar manner;

h) Storing blasting caps in an explosives magazine - or with explosives at any time;
i) Transporting explosives with personnel, other than those assigned to assist in handling the explosives;

j) Firing multiple electrical blasts without testing the circuit by use of an instrument acceptable to WorkSafeBC;

k) Abandoning explosives;

l) Failure to check a blast site adequately after the blast to ensure that no misfired or unfired charges remain and that workers are protected from loose rock or other materials that pose a hazard;

m) Failure to use adequate cover or other effective means to control the blast and protect persons and/or property from flying material (see s. 21.66 of the Regulation);

n) Any conduct on the part of the blaster which poses an unreasonable threat to the safety and well-being of other workers or the public; and

o) Carrying out unsafe practices in contravention of manufacturer's recommendations and instructions

**Question 11**
In BC under s. 21.7 of the OHSR what must the worker be trained in and hold to convey explosives? G21.7 defines.

A worker engaged in loading, unloading, or conveying explosives must be trained in the proper means for handling the explosives, the hazards of fire and mishandling and the procedures to follow in the event of a fire or explosion. Workers must have a "Certificate of Training" and proof of certification must be on the worksite under that Act. This is a TDG Certificate that is in date.

**Question 12**
When must signs (placards) be displayed on a vehicle or conveyance?

A vehicle containing explosives while in a workplace must display signs indicating the presence of explosives in a conspicuous manner, visible from all sides of the vehicle, and the signs must be removed when the vehicle no longer contains explosives.