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S.M. 1996, c. 42

THE AMBULANCE SERVICES AMENDMENT ACT

(Assented to November 19, 1996)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

C.C.S.M. c. A65 amended

1 *The Ambulance Services Act is amended by this Act.*

2 *The title of the Act is repealed and "THE EMERGENCY MEDICAL RESPONSE AND STRETCHER TRANSPORTATION ACT" is substituted.*

3 *Section 1 is amended*

(a) by repealing the definitions "ambulance attendant", "ambulance driver", "ambulance service", "ambulance services program" and "ambulance vehicle";

(b) by repealing the definition "patient" and substituting the following:

"patient" means an individual who requires emergency medical response services; (« malade »)

(c) by adding the following definitions in alphabetical order:

"air ambulance" means an aircraft that is designed and equipped for the transportation of patients; (« ambulance aérienne »)

"ambulance" means a motor vehicle that is designed, constructed and equipped for the transportation of patients; (« ambulance »)

"ambulance operator" means a person who drives or pilots an ambulance or an air ambulance while it is being used to provide emergency medical response services; (« ambulancier »)

"emergency medical response services" means the emergency medical response services prescribed in the regulations; (« services d'intervention médicale d'urgence »)

"emergency medical response system" means an undertaking which provides emergency medical response services, and includes the aircraft, vehicles, equipment, personnel, and administrative systems

necessary to the provision of the emergency medical response services;(« entreprise d'intervention médicale d'urgence »)

"emergency medical response technician" means a person who provides emergency medical response services to a patient;(« technicien d'intervention médicale d'urgence »)

"person" includes a natural person, corporation, partnership, limited partnership, syndicate, trustee, joint venture, an unincorporated association of persons, and a band as defined in the *Indian Act* (Canada);(« personne »)

"stretcher" means a mobile litter or cot designed to accommodate a person who by reason of illness, infirmity, or physical disability must remain in a horizontal position;(« civière »)

"stretcher attendant" means a person who provides stretcher transportation services;(« porteur de civière »)

"stretcher transportation service" means an undertaking which provides stretcher transportation services and includes the vehicles, equipment, personnel, and administrative systems necessary to the provision of the services;(« entreprise de transport pour personnes sur civière »)

"stretcher transportation services" means the services prescribed in the regulations for assisting and transporting persons requiring a stretcher or similar device;(« services de transport pour personnes sur civière »)

"stretcher transportation vehicle" means a vehicle designed and equipped for the transportation of persons requiring a stretcher or similar device.(« véhicule transportant des personnes sur civière »)

4 *Section 2 is repealed and the following is substituted:*

Licence required

2 No person shall

(a) operate an emergency medical response system or a stretcher transportation service; or

(b) act as an emergency medical response technician, stretcher attendant or ambulance operator

unless the person has a valid and subsisting licence to do so issued under this Act.

5 *Section 3 is repealed.*

6 *Section 4 is repealed and the following is substituted:*

Employment of unlicensed persons prohibited

4 No person shall employ or engage another person as an emergency medical response technician, stretcher attendant or ambulance operator unless the other person holds a valid and subsisting licence to do so.

7 *Section 5 is repealed and the following is substituted:*

Application for licence

5(1) An application for a licence shall be made in writing and shall contain the information and be accompanied by the fee and any documentation required by the regulations.

Issuing or refusing a licence

5(2) The minister may issue or refuse to issue a licence.

Decision to issue

5(3) The minister may issue a licence to an applicant if the applicant meets the requirements and standards prescribed in the regulations in respect of the type of licence applied for.

Issue of provisional licence

5(4) Subject to section 7, if the minister

(a) is not satisfied that an applicant meets all the requirements and standards prescribed in the regulations in respect of the type of licence applied for; and

(b) is satisfied that it is in the public interest to do so;

the minister may, on payment of the prescribed fee, issue to the applicant a provisional licence of the type applied for.

Licence not transferable

5(5) A licence is not transferable.

8 *Section 6 is amended by striking out "under section 5" wherever it occurs and substituting "in the regulations".*

9 *Section 7 is repealed and the following is substituted:*

Need for proposed services

7 The minister shall not issue a licence to operate an emergency medical response system or a stretcher transportation service unless, after consulting with each municipality in the area where the applicant proposes to operate the system or service and other persons the minister deems appropriate, the minister is satisfied that there is a need for an emergency medical response system or a stretcher transportation service in the area.

10 *Section 10 is repealed and the following is substituted:*

Unauthorized equipment prohibited

10(1) A licence holder shall not

(a) store or install in an air ambulance, ambulance, or other aircraft or vehicle used as part of an emergency medical response system, or in a stretcher transportation vehicle; or

(b) use or permit to be used in the course of providing emergency medical response services or stretcher transportation services

any drug, equipment, apparatus or other item that is not authorized by the regulations.

Exception

10(2) Subsection (1) does not prevent the use of any drug, equipment, apparatus or other item by a duly qualified medical practitioner or a person designated by a medical practitioner if

- (a) the medical practitioner has specified that the item be transported with his or her patient while the patient receives emergency medical response services or stretcher transportation services; and
- (b) the item is removed following use for the patient.

11 *Subsections 15(1) to 15(4) are repealed and the following is substituted:*

Entry and inspection

15(1) An officer, upon producing an identification card issued by the minister, may at any reasonable time and where reasonably required to determine compliance with this Act,

- (a) enter and inspect any place, aircraft or vehicle in which the officer believes on reasonable grounds an emergency medical response system or a stretcher transportation service is operating or a person is providing emergency medical response services or stretcher transportation services;
- (b) examine the equipment, installations in and contents of any place, aircraft or vehicle being inspected under clause (a);
- (c) require any person to produce for inspection or copying any record or document that the officer believes on reasonable grounds contains information relevant to the administration of this Act; and
- (d) conduct any tests or analyses or take any measurements.

Removal of records

15(1.1) An officer may remove any records or documents or other thing that he or she is entitled to examine, test, analyse or copy or otherwise reproduce but shall give a receipt to the person from whom they were taken and shall promptly return them on completion of the examination, test, analysis, copying or reproduction.

Warrant to enter dwelling place

15(2) An officer may not enter a dwelling place except with the consent of the occupant or under the authority of a warrant.

Authority to issue warrant

15(3) A justice who is satisfied by information on oath that

- (a) the conditions for entry described in subsection (1) exist in relation to a dwelling place;
- (b) entry to the dwelling place is necessary for a purpose related to the administration of this Act; and
- (c) entry to the dwelling place has been refused or there are reasonable grounds to believe that entry will be refused;

may at any time issue a warrant authorizing an officer and any other person named in the warrant to enter the dwelling place, subject to any conditions that may be specified in the warrant.

Suspension and other action by officer

15(4) Where in the course of an inspection or examination under this section it becomes apparent to an officer that the safety or well-being of a person receiving emergency medical response services or stretcher transportation services is at risk, the officer may immediately do one or both of the following:

- (a) suspend the licence, if any, of the person providing the emergency medical response services or stretcher transportation services, for up to seven days;
- (b) take such other steps as may in the opinion of the officer be necessary for the immediate protection and well-being of any person receiving or about to receive emergency medical response services or stretcher transportation services.

12 *Subsection 15(6) is repealed and the following is substituted:*

Reports

15(6) An officer shall prepare and submit to the minister a report in the form approved by the minister where the officer suspends a licence or takes steps to protect the well-being of a person under subsection (4), and he or she shall forward a copy of the report to the operator of the emergency medical response system or stretcher transportation service.

13 *Section 17 is amended*

(a) in the section heading of the English version, by striking out "ambulance"; and

(b) by striking out "ambulance" wherever it occurs in the section and substituting "emergency medical response services or stretcher transportation".

14(1) *Subsection 19(1) is amended by*

(a) striking out "ambulance services business or undertaking" and substituting "emergency medical response system"; and

(b) striking out "ambulance services programs" and substituting "emergency medical response services".

14(2) *Subsection 19(2) is amended by striking out clause (b) and substituting the following:*

(b) shall be accompanied by a written proposal for an emergency medical response system, in a form approved by the minister, showing how and for what purposes the grant is proposed to be used in the system, and by such financial statements and other documents and information as the minister may require.

14(3) *Subsection 19(3) is amended*

(a) in the subsection heading of the English version, by striking out "program" and substituting "system";

(b) by striking out "ambulance services program" and substituting "emergency medical response system"; and

(c) by striking out "program" and substituting "system".

14(4) *Subsection 19(4) is amended by striking out "ambulance services program" wherever it occurs and substituting "emergency medical response system".*

15 *Subsection 26(1) is amended*

(a) by repealing clause (a) and substituting the following:

(a) establishing classes of licences and prescribing qualifications and other requirements for each class of licence;

(a.1) respecting the information and documentation which must accompany an application for a class of licence;

(a.2) prescribing the fee payable for the issuance of any licence;

(b) in clause (c), by striking out everything following "licence holders";

(c) by adding the following after clause (c):

(c.1) prescribing emergency medical response services and stretcher transportation services;

(c.2) prescribing drugs, equipment, and apparatus for use in providing emergency medical response services and stretcher transportation services, standards for, and where and in what circumstances the drugs, equipment and apparatus may be used;

(c.3) prescribing devices that may be used by stretcher attendants in the course of providing stretcher transportation services;

16 *Section 28 is repealed and the following is substituted:*

C.C.S.M. reference

28 This Act shall no longer be referred to as chapter A65 of the *Continuing Consolidation of the Statutes of Manitoba* but may be referred to as chapter E83 of the *Continuing Consolidation of the Statutes of Manitoba*.

Coming into force

17 *This Act comes into force on a day fixed by proclamation.*

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