



CODES CANADA
Build on expertise

Policies and Procedures

Canadian Commission on Building
and Fire Codes



National Research
Council Canada

Conseil national de
recherches Canada

Canada

CANADIAN COMMISSION ON
BUILDING AND FIRE CODES

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Preface

This document sets forth the policies and procedures of the Canadian Commission on Building and Fire Codes (CCBFC) for Canada's *National Model Construction Code Documents* development system. It contains the operating procedures of the system, terms of reference for the CCBFC and its committees, and a description of the supporting role of the National Research Council (NRC) of Canada. This document was prepared for the use and guidance of committee members, as well as *Code* development contributors or other interested parties.

Construction is a complex service and manufacturing industry, involving thousands of different component parts that are assembled into products and systems by a large number of workers both on- and off-site. Construction is primarily a market activity, the quality of whose products reflects the interplay of costs, time, availability of materials, skills and knowledge. Owners, consumers, designers, contractors, manufacturers, standards development organizations, federal government, provinces and territories, as well as municipalities, have certain responsibilities in Canada's construction system. Due to the system's complexity, there are practical limitations to each of these roles.

In Canada, provinces and territories have authority to enact laws and regulations pertaining to buildings and facilities. The CCBFC established by the NRC provides value and uniformity to Canada's building regulatory system by producing model *Codes* and related documents — the *National Model Construction Code Documents* (see Subsection 1.1 of this document) — which are available for adoption or adaptation by provincial and territorial jurisdictions for use as a basis for building regulations within their jurisdictions. Currently, the National Building Code (NBC) of Canada, the National Fire Code (NFC) of Canada, the National Energy Code of Canada for Buildings and the National Plumbing Code (NPC) of Canada are used extensively as the basis of provincial, territorial and municipal building, plumbing, energy and fire regulations. The scope of these regulations may differ from the *National Model Construction Code Documents*.

More information on the role of *Codes* and regulations in determining the nature of Canada's built environment can be found in the publication "Canada's Construction System... the context for model codes", available from the NRC and on the Internet at: http://www.nrc-cnrc.gc.ca/obj/doc/solutions-solutions/advisory-consultatifs/codes_centre-centre_codes/archives/construction_system.pdf.

In recent years, the CCBFC has been working with the provinces and territories through the Provincial/Territorial Policy Advisory Committee on Codes (PTPACC) to develop a coordinated *Code* development system aimed at producing *National Model Construction Code Documents* that are more responsive to provincial and territorial policy priorities and to the needs of *Code* users and consumers.

More information on the *National Model Construction Code Documents* and the *Code* development system are available from the NRC and on the Internet at: <http://www.nationalcodes.nrc.gc.ca>.

Introduction

The NRC established the CCBFC to provide direction and oversight to the development of the *National Model Construction Code Documents*. The CCBFC and its committees consist of volunteer representatives from all sectors of the construction and regulatory communities. NRC Construction provides technical, research and administrative support to the CCBFC and its committees and to the *National Model Construction Code Documents* development system.

The *National Model Construction Code Documents* development system is based on several principles:

- The *Codes* should be responsive to changing technology, knowledge and practices.
- The *Codes* should be responsive to provincial and territorial policy priorities.
- The *Codes* should establish acceptable minimum performance standards.
- Those affected by the *Codes* should have the opportunity to participate in the development system and have their views on *Code* provisions and changes to those provisions considered.
- The development system should be based on broad consensus and should be transparent, with development activities readily visible to all interested parties.
- *Code* provisions should be related to the *Codes*' stated objectives and functional statements.
- *Code* provisions should be enforceable.
- In considering *requested changes* to the *Codes*, the following should be considered (see Appendix F):
 - ability to comply with such changes in light of current technology practicalities;
 - the benefit, cost and impact implications of such changes; and
 - the implications with respect to resources needed for enforcement of such changes.

Any *requested change* that would add to or alter the objectives or functional statements of the *National Model Construction Code Documents* are only considered after thorough consultation with regulatory authorities, including provincial and territorial governments and other affected parties. Provisions covering the quality and durability of construction are considered appropriate so long as these requirements are directly related to the *Codes*' objectives and functional statements and are verifiable at the time of construction. Requirements for workmanship related to appearance only are not considered appropriate for these *Codes*.

All communications with regard to the *National Model Construction Code Documents* should be addressed to:

Secretary
Canadian Commission on Building and Fire Codes
National Research Council Canada
Ottawa, Ontario K1A 0R6

or to the appropriate provincial or territorial agency at http://www.nrc-cnrc.gc.ca/eng/solutions/advisory/codes_centre/links_provincial.html

Roles

Role of the CCBFC

The CCBFC provides direction and oversight to the development of the *National Model Construction Code Documents*. To this end, recognizing the authority of provincial and territorial governments to establish their own laws and regulations, and working in partnership with regulatory authorities, *Code* users and the public, the CCBFC:

- promotes uniform adoption and understanding of the *National Model Construction Code Documents*;
- responds to the needs and priorities of the adopting authorities;
- facilitates the resolution of issues;
- responds to technological changes and innovations;
- establishes and implements policies, procedures and priorities for the *National Model Construction Code Documents*;
- advises the NRC on the need for *Code*-related research; and
- acts as the focal point for issues related to the *National Model Construction Code Documents*.

Role of the Provinces and Territories

In fulfilling their responsibility for regulating buildings and facilities in their jurisdictions, provincial and territorial governments may, either directly or through municipalities,

- adopt and enforce laws and regulations;
- provide interpretation of such laws and regulations;
- provide training and education in such laws and regulations; and
- establish roles and responsibilities of trades people and professionals.

The provinces and territories are key partners in Canada's *National Model Construction Code Documents* development system. The PTPACC articulates provincial and territorial advice on *Codes* policy and priorities to the CCBFC.

Role of the NRC

The NRC established the CCBFC and through NRC Construction:

- provides technical, research and administrative support to the CCBFC and its committees and to the *National Model Construction Code Documents* development system;
- liaises with research establishments, provincial and territorial authorities, *Codes* and standards development organizations, and other pertinent bodies in Canada and abroad;
- assists *Code* users in the understanding of the *National Model Construction Code Documents* development system; and
- produces and publishes the *National Model Construction Code Documents*.

Defined Terms

For the purposes of this document:

- a) *Appeal committee* means the committee that hears and responds to appeals of procedural actions. This committee is normally the Executive Committee, except for appeals of Divisions A and C and Division B, Part 1 of a *Code*, which are heard by an ad hoc committee. (See Article 17.11.6.)
- b) *Code* means any or all of the *Codes*. (See Articles 1.1.3 and 1.1.4.)
- c) *Codes publication cycle* means the period extending from issuance of one edition of the *Codes* to issuance of the next edition of the *Codes*.
- d) *Editorial change* means modifications, additions and deletions to *Code* content that affect its clarity and understanding but not its meaning, intent or application.
- e) *Editorial revision* means modifications, additions and deletions to a *proposed change*, after public review that affect its clarity and understanding but not its meaning, intent or application.
- f) *Errata* means correction of *Code* content where the content does not reflect what was intended and agreed to by a standing committee or the CCBFC and where the incorrect content affects the intended implementation of *Code* provisions.
- g) *Interim change* means technical changes that comply with Subsection 17.12 and that are issued between *Code* editions.
- h) *Key stakeholder* means an organization approved by the NRC or the CCBFC that has an important contributing role in the development of the *National Model Construction Code Documents*, which merits special liaison to provide benefits to the *National Model Construction Code Documents* development system and which meets the following criteria:
 - participation in the *Code* development system by providing mutual benefits;
 - consistent, long-term supporter of the *Code* development system; and
 - in the case of industry, represents the entire industry.

Key stakeholder representatives are specific to each committee.

- i) *National Model Construction Code Documents* means the *Codes* and the advisory documents developed and approved by the CCBFC.
- j) *Proposed change* means modifications, additions and deletions to the *National Model Construction Code Documents* developed by the CCBFC and its committees.
- k) *Referenced document update* means modifications to titles, document numbers or publication years to reference revised editions of documents already referenced in *Codes* but does not include re-affirmations.
- l) *Requested change* means suggested modifications, additions, and deletions to the *National Model Construction Code Documents* submitted by a proponent.

Acronyms

AHJ	Authority having jurisdiction
CAC	Cement Association of Canada
CCBFC	Canadian Commission on Building and Fire Codes
CC	Codes Canada
CCCME	Canadian Commission on Construction Materials Evaluation
CCMC	Canadian Construction Materials Centre
CHBA	Canadian Home Builders' Association
CPIA	Canadian Plastics Industry Association
CSCC	Canadian Steel Construction Council
CWC	Canadian Wood Council
HVAC	Heating, ventilation and air-conditioning
NAFTA	North American Free Trade Agreement
NECB	National Energy Code of Canada for Buildings
NBC	National Building Code of Canada
NFC	National Fire Code of Canada
NFBC	National Farm Building Code of Canada
NPC	National Plumbing Code of Canada
NRC	National Research Council Canada
NRCan	Natural Resources Canada
NSS	National Standards System
PTPACC	Provincial/Territorial Policy Advisory Committee on Codes
SCC	Standards Council of Canada
SC	Standing Committee
SC-ED	Standing Committee on Earthquake Design
SC-EEB	Standing Committee on Energy Efficiency in Buildings
SC-ES	Standing Committee on Environmental Separation
SC-FP	Standing Committee on Fire Protection
SC-HMA	Standing Committee on Hazardous Materials and Activities
SC-HP	Standing Committee on HVAC and Plumbing
SC-HSB	Standing Committee on Housing and Small Buildings
SC-SD	Standing Committee on Structural Design
SC-UE	Standing Committee on Use and Egress
SDOAC	Standards Development Organizations Advisory Committee
TTV	Technical Translation Verification
WTO	World Trade Organization

PART A

Committee Structures and Responsibilities

1 CANADIAN COMMISSION ON BUILDING AND FIRE CODES

1.1 General

- 1.1.1 The Canadian Commission on Building and Fire Codes (CCBFC) was established by the National Research Council (NRC) Canada to encourage uniformity of building and facility regulations throughout Canada. (See Appendix A for the CCBFC terms of reference and matrix as approved by the NRC.)
- 1.1.2 The CCBFC is the decision-making body that develops and maintains the *National Model Construction Code Documents* consisting of:
 - a) *Codes*; and
 - b) advisory documents.
- 1.1.3 *Codes* are developed and maintained as minimum requirements within the scope established in partnership with provincial and territorial authorities. The *Codes* are:
 - a) National Building Code of Canada (NBC);
 - b) National Fire Code of Canada (NFC);
 - c) National Plumbing Code of Canada (NPC);
 - d) National Energy Code of Canada for Buildings (NECB); and
 - e) National Farm Building Code of Canada (NFBC).
- 1.1.4 Advisory documents are developed to assist *Code* users in understanding and applying the requirements of the *Codes*. The advisory documents are:
 - a) technical user's guides; and
 - b) intent statements user's guides.

1.2 Responsibilities

- 1.2.1 The CCBFC is responsible for developing and approving the contents of the *National Model Construction Code Documents*.
- 1.2.2 The CCBFC chair reports annually, or as requested, to the NRC through the Vice-President responsible for NRC Construction on operations of the CCBFC and the *National Model Construction Code Documents* development system.
- 1.2.3 The CCBFC chair appoints and informs the CCBFC of the following appointments:
 - a) an Executive Committee as described in Section 2;
 - b) a CCBFC Selection Committee as described in Section 3;
 - c) a Standing Committee Nomination Committee and its chair as described in Section 4;
 - d) standing committee members as described in Sections 4 and 5; and
 - e) a Technical Translation Verification (TTV) Committee chair as described in Section 6.
- 1.2.4 The CCBFC chair recommends to the CCBFC:
 - a) changes to standing committee matrices as described in Section 4;
 - b) nominees for appointment as standing committee chairs as described in Sections 4 and 5; and
 - c) nominees for appointment as standing committee vice-chairs as described in Sections 4 and 5.

- 1.2.5 Through the PTPACC, the CCBFC receives advice from and informs provincial and territorial authorities of issues, priorities, requests and decisions on matters relating to the *National Model Construction Code Documents*.
- 1.2.6 The CCBFC consults through its deputy chair with the NRC Construction General Manager on all matters affecting expenditures of funds and the NRC Construction staff deployment related to the *National Model Construction Code Documents* development system, including establishment of standing committees, task groups and advisory groups, and scheduling of meetings.
- 1.2.7 The CCBFC:
 - a) establishes standing committees as described in Section 5;
 - b) establishes an appropriately balanced matrix for each standing committee (see Appendix C);
 - c) assigns specified terms of reference for each standing committee (see Appendix B); and
 - d) appoints standing committee chairs and vice-chairs as described in Section 5.
- 1.2.8 The CCBFC may establish task groups, working groups, and advisory groups on specific issues or topics, which may include participation of PTPACC or other bodies on matters of mutual interest.
- 1.2.9 The CCBFC may publish reports and papers as records of the matters the CCBFC and its committees considered and the reasons underlying their decisions.
- 1.2.10 The CCBFC gives direction to its standing committees, task groups, working groups and advisory groups on all matters pertaining to operation, including:
 - a) identifying priorities for *Code* development issues;
 - b) approving work plans; and
 - c) approving carrying forward of work from one year to the next.
- 1.2.11 The CCBFC approves adoption of, and changes to, these Policies and Procedures.
- 1.2.12 The CCBFC chair calls a meeting of the Standing Committee chairs at least once a year, except when the CCBFC chair decides that a meeting is not required. (See Section 12.)

1.3 Members

- 1.3.1 Members of the CCBFC, in compliance with the CCBFC matrix that was approved by the NRC (see Appendix A), are:
 - a) voting members including the chair (see Subsection 11.1);
 - b) non-voting *key stakeholder* members; and
 - c) non-voting ex officio members.
- 1.3.2 Non-voting *key stakeholder* CCBFC members are representatives of:
 - a) Canadian Steel Construction Council (CSCC);
 - b) Canadian Wood Council (CWC);
 - c) Canadian Plastics Industry Association (CPIA);
 - d) Natural Resources Canada (NRCan);
 - e) Cement Association of Canada (CAC); and
 - f) Standards Council of Canada (SCC) represented by the chair of the Standards Development Organizations Advisory Committee (SDOAC).
- 1.3.3 Non-voting ex officio CCBFC members are:
 - a) the deputy chair, who is the Manager, Code Development System, NRC Construction Codes Canada (CC), and who is appointed by the NRC Construction General Manager;
 - b) the NRC Construction policy advisor, who is the Director, NRC Construction Building Regulations, and who is appointed by the NRC Construction General Manager;

- c) the secretary, who is a member of the NRC Construction staff, and who is appointed by the NRC Construction General Manager; and
 - d) the chair of PTPACC or designate.
- 1.3.4 Additional *key stakeholder* representatives may not be appointed to the CCBFC as voting members.
- 1.3.5 To facilitate transition, and with agreement of the CCBFC chair and immediate past chair, the immediate past chair may be a non-voting ex officio CCBFC member for a term ending one (1) year following a term as CCBFC chair.
- 1.3.6 Voting members, vice-chair and the CCBFC chair are appointed by the NRC based on recommendations from the CCBFC Selection Committee in accordance with the NRC-approved matrix. Members representing non-voting *key stakeholders* are authorized by NRC but each *key stakeholder* designates its representative for membership on the CCBFC. (See Appendix A.)
- 1.3.7 The CCBFC chair designates an alternate chair from the voting members to act on behalf of the chair when the need arises.
- 1.3.8 At least 12 months before retirement of the chair, the CCBFC Selection Committee recommends a nominee for vice-chair for appointment by the NRC, with the view to appointment of the vice-chair as the chair for the subsequent term.
- 1.3.9 CCBFC members are expected to be broadly knowledgeable on *Code*-related matters and able to exercise broad objective judgments, keeping in mind the nature of CCBFC activities. (See Subsections 11.1 and 11.3 and Appendix E.)
- 1.3.10 Former NRC employees may not be CCBFC voting members until at least one (1) year after termination of employment with the NRC.
- 1.3.11 No member of a standing committee or NRC Construction staff may be a member of the CCBFC.
- 1.3.12 CCBFC members are required to sign a confidentiality agreement. (See Appendix I.)
- 1.4 Meetings**
- 1.4.1 CCBFC meets at least once a year except when the chair decides that a meeting is not required. (See Section 12.)
- 1.4.2 CCBFC conducts its business in both official languages with simultaneous interpretation provided at meetings.
- 1.4.3 The TTV Committee chair is invited to attend CCBFC meetings at which issues related to the TTV Committee are to be considered. (See Section 6.)

2 EXECUTIVE COMMITTEE

2.1 General

- 2.1.1 The Executive Committee directs CCBFC business on behalf of and provides recommendations to the CCBFC.
- 2.1.2 Directions of the Executive Committee are in force when made, but are subject to ratification at the next CCBFC meeting.
- 2.1.3 The Executive Committee meets at the call of the CCBFC chair. (See Section 12.)

2.1.4 The Executive Committee may hold joint meetings with PTPACC as the need arises.

2.1.5 The Executive Committee conducts its business in English.

2.2 Responsibilities

- 2.2.1 The Executive Committee directs CCBFC business, subject to CCBFC ratification, by:
- a) undertaking specific tasks assigned by the CCBFC;
 - b) addressing problems that may arise between CCBFC meetings;
 - c) completing preliminary consideration of matters that may be brought to the CCBFC;
 - d) considering priorities and resource implications;
 - e) advising the CCBFC chair on the agenda of CCBFC meetings;
 - f) resolving *Code* development issues described in Part C;
 - g) subject to Article 1.2.5, approving the terms of reference and membership of task groups recommended by standing committees and of advisory groups;
 - h) subject to Article 1.2.5, approving the membership of CCBFC task groups;
 - i) evaluating justification for asking non-committee members to leave a meeting as described in Article 12.2.7 and taking suitable remedial measures when the request is determined to have been unnecessary; and
 - j) responding to requests for review of procedural actions as described in Subsection 17.11.
- 2.2.2 The Executive Committee recommends to the CCBFC *proposed changes* to Divisions A and C and Division B, Part 1 of the *Codes* as described in Subsection 17.5.
- 2.2.3 The Executive Committee recommends to the CCBFC changes to these Policies and Procedures.

2.3 Members

- 2.3.1 Members of the Executive Committee are:
- a) voting members, who are:
 - i) the CCBFC chair;
 - ii) the CCBFC alternate chair;
 - iii) the CCBFC vice-chair (when appointed by the NRC); and
 - iv) not less than four (4) additional voting CCBFC members appointed by the CCBFC chair, with at least one member from each of the broad interest categories in the CCBFC matrix;
 - and
 - b) non-voting ex officio members, who are:
 - i) the CCBFC deputy chair;
 - ii) the CCBFC secretary;
 - iii) the CCBFC NRC Construction policy advisor; and
 - iv) the PTPACC chair or designate.
- 2.3.2 To facilitate transition, and with agreement of the CCBFC chair and immediate past chair, the immediate past chair may be a non-voting ex officio member of the Executive Committee for a term ending one (1) year following a term as CCBFC chair.
- 2.3.3 The CCBFC chair is the chair of the Executive Committee.
- 2.3.4 The CCBFC chair designates an alternate chair for the Executive Committee from the voting members to act on behalf of the chair when the need arises.
- 2.3.5 To gain experience in standing committee operations, Executive Committee members are encouraged to attend a standing committee meeting of their choice and obtain prior approval from the deputy chair to claim expenses. (See Article 1.2.6.)

3 CCBFC SELECTION COMMITTEE

3.1 General

- 3.1.1 The CCBFC Selection Committee recommends to the NRC changes to the composition of the CCBFC.
- 3.1.2 When required, NRC Construction issues calls for volunteers for CCBFC membership in relevant printed and electronic publications, seeks assistance from the provinces and territories in publicizing the call for volunteers, and asks *key stakeholders* to recommend suitable applicants for their representatives.
- 3.1.3 When appointment of a CCBFC vice-chair is required (see Article 1.3.7), the CCBFC members are informed that the CCBFC Selection Committee will be considering nominees for vice-chair and are offered the opportunity to volunteer or submit suggested names for vice-chair.
- 3.1.4 The CCBFC Selection Committee meets at the call of the CCBFC chair. (See Section 12.)
- 3.1.5 The CCBFC Selection Committee conducts its business in English.

3.2 Responsibilities

- 3.2.1 The CCBFC Selection Committee is responsible for:
 - a) reviewing applications for CCBFC membership in CCBFC; and
 - b) recommending to the NRC:
 - i) changes to the CCBFC matrix;
 - ii) nominees for CCBFC voting members and non-voting *key stakeholder* representatives;
 - iii) a nominee for the CCBFC chair; and
 - iv) at least twelve (12) months before retirement of the CCBFC chair, a nominee for vice-chair, with the view to appointment of the vice-chair as the chair for the subsequent term.
- 3.2.2 Before the CCBFC Selection Committee finalizes its recommendation for vice-chair, CCBFC and PTPACC members are advised of the nominee's name and allowed two (2) weeks to identify concerns.
- 3.2.3 Lack of response to a request for comments in Article 3.2.2 is understood to mean that the members do not object to the proposed nominee being recommended.

3.3 Members

- 3.3.1 CCBFC Selection Committee members are:
 - a) voting members, who are:
 - i) the CCBFC chair;
 - ii) the CCBFC vice-chair (when appointed by the NRC); and
 - iii) not less than three (3) independent members who are appointed by the CCBFC chair;
 - and
 - b) non-voting ex officio members, who are:
 - i) the NRC Construction General Manager, or a designate;
 - ii) the CCBFC deputy chair;
 - iii) the CCBFC secretary; and
 - iv) the PTPACC chair or designate.
- 3.3.2 The CCBFC chair is the CCBFC Selection Committee chair.
- 3.3.3 The independent members are to be people who are not otherwise involved in the *National Model Construction Code Documents* development system, are expected to be broadly knowledgeable of the CCBFC and the *National Model Construction Code Documents* development system, and

are selected to enhance the geographic base of the CCBFC Selection Committee. (See Subsection 11.1.)

3.3.4 At least one independent member is selected from the industry broad interest category. (See Article 11.1.4.)

3.3.5 Participants in CCBFC Selection Committee meetings are required to sign a confidentiality agreement. (See Appendix I.)

4 STANDING COMMITTEE NOMINATION COMMITTEE

4.1 General

4.1.1 The Standing Committee (SC) Nomination Committee recommends to the CCBFC chair changes to the composition of standing committees.

4.1.2 When required, NRC Construction issues calls for volunteers for membership on the standing committees in relevant printed and electronic publications, and seeks assistance from the provinces and territories in publicizing the call for volunteers.

4.1.3 When appointment of a standing committee vice-chair is required (see Article 5.3.7), the relevant standing committee members are informed that the SC Nomination Committee will be considering nominees for vice-chair of that standing committee and are offered the opportunity to volunteer or to submit suggested names for vice-chair.

4.1.4 The SC Nomination Committee meets at the call of its chair. (See Section 12.)

4.1.5 The SC Nomination Committee conducts its business in English.

4.2 Responsibilities

4.2.1 The SC Nomination Committee is responsible for:

- a) reviewing applications for membership in the standing committees; and
- b) recommending to the CCBFC chair:
 - i) changes to the standing committee matrices;
 - ii) nominees for appointment as standing committee voting members;
 - iii) nominees for recommendation for appointment as standing committee chairs; and
 - iv) at least twelve (12) months before retirement of a standing committee chair, a nominee for recommendation for appointment as vice-chair, with the view to appointment of the vice-chair as the chair for the subsequent term.

4.2.2 The SC Nomination Committee seeks advice from PTPACC, through the CCBFC, about changes in standing committee matrices.

4.2.3 The SC Nomination Committee recommends members to fill vacancies in a standing committee matrix as soon as possible. (See Article 10.1.4.)

4.2.4 Before the SC Nomination Committee finalizes its recommendations for nominees for standing committee members, CCBFC and PTPACC members are advised of the nominees' names and allowed two (2) weeks to identify concerns.

4.2.5 Lack of response to a request for comments in Article 4.2.4 is understood to mean that the members do not object to the proposed nominees being recommended.

4.3 Members

4.3.1 Members of the SC Nomination Committee are:

- a) voting members, who are not less than six (6) voting CCBFC members appointed by the CCBFC chair (see Subsection 11.1); and
 - b) non-voting ex officio members, who are:
 - i) the CCBFC deputy chair;
 - ii) the CCBFC standing committee chairs;
 - iii) the PTPACC chair or designate; and
 - iv) a recording secretary who is provided by CC.
- 4.3.2 The CCBFC chair appoints the SC Nomination Committee chair from the membership of the SC Nomination Committee.
- 4.3.3 Participants in SC Nomination Committee meetings are required to sign a confidentiality agreement. (See Appendix I.)

5 STANDING COMMITTEES

5.1 General

- 5.1.1 Standing committees are established by the CCBFC to advise it on technical issues and recommended changes to the *National Model Construction Code Documents* relative to their assigned contents of the documents, as described in their terms of reference. (See Appendix B.)
- 5.1.2 Standing committees complete their work with technical and secretarial assistance from NRC Construction as described in Appendix D.
- 5.1.3 Each standing committee meets twice annually, in spring and fall, unless otherwise authorized by the CCBFC chair or deputy chair. (See Section 12.)
- 5.1.4 Standing committees conduct their business in English.

5.2 Responsibilities

- 5.2.1 Each standing committee:
 - a) keeps its assigned contents of the *National Model Construction Code Documents* under review to ensure that they are consistent with objectives and functional statements of the *Codes*;
 - b) considers relevant developments in building and facility use, design and technology, and advises the CCBFC on how best to reflect them in the *National Model Construction Code Documents*;
 - c) considers *requested changes* and, if appropriate, develops *proposed changes* (see Part C);
 - d) recommends to the CCBFC *proposed changes* to the *National Model Construction Code Documents* (see Part C);
 - e) maintains close liaison with other standing committees, through NRC Construction, to avoid unnecessary overlap and possible conflict with other contents of the *Codes*;
 - f) keeps under review provincial and territorial regulations which relate to its area of responsibility and recommends action as appropriate;
 - g) keeps under review referenced documents that relate to its area of responsibility;
 - h) recommends to the CCBFC any *Code* development issues which should be given priority; and
 - i) prepares annual work plans as described in Subsection 16.4.
- 5.2.2 Standing committee chairs:
 - a) prepare and submit written reports on the activities and progress of their standing committee's approved work before each CCBFC meeting;
 - b) attend the Standing Committee Chairs' meeting and SC Nomination Committee meetings, or are represented at these meetings by their vice-chair or alternate chair; and

- c) when warranted, prepare background information for and explanations of their standing committee's recommendations for presentation at CCBFC meetings.
- 5.2.3 Standing committees are expected to establish, subject to approval by the Executive Committee, task groups to undertake detailed investigations and specific studies on complex subjects, and to develop complex *proposed changes* within their terms of reference. Task groups may be established jointly with other standing committees on matters of mutual concern.
- 5.2.4 Standing committees may create working groups to deal with specific issues as part of their approved work.
- 5.2.5 Only standing committees may publish standing committee reports, papers and recommendations, as well as reports, papers and recommendations of task groups and working groups reporting to the standing committee, as official records of matters considered by the standing committee. Joint papers require approval by all parent committees before they are published.
- 5.3 Members**
- 5.3.1 Standing committees consist of voting members including the chair plus non-voting *key stakeholders* and ex officio members in compliance with the standing committee matrix that was approved by the CCBFC. (See Subsection 11.1 and Appendix C.)
- 5.3.2 Standing committee voting members are recommended by the SC Nomination Committee and appointed by the CCBFC chair.
- 5.3.3 Standing committee chairs are recommended by the CCBFC chair, with the assistance of the SC Nomination Committee, and appointed by the CCBFC.
- 5.3.4 Non-voting standing committee members are:
 - a) ex officio members:
 - i) technical advisor(s), research advisor(s) as needed, and a secretary or secretaries who are NRC Construction staff and who are appointed by the NRC Construction General Manager; and
 - ii) other standing committee chairs listed in the committee matrix; and
 - b) *key stakeholder* representatives listed in the standing committee matrix.
- 5.3.5 Additional *key stakeholder* representatives may not be appointed to a standing committee as voting members.
- 5.3.6 No CCBFC member or NRC Construction staff may be a member of a standing committee.
- 5.3.7 The chair designates an alternate chair from the voting members to act on behalf of the chair when the need arises.
- 5.3.8 At least twelve (12) months before the retirement of a standing committee chair, the SC Nomination Committee recommends to the CCBFC Chair a nominee for vice-chair for appointment by the CCBFC, with the view to appointment of the vice-chair as the chair for the subsequent term.

6 TECHNICAL TRANSLATION VERIFICATION COMMITTEE

6.1 General

- 6.1.1 The TTV Committee verifies the translation of significant or complex technical content of all French language versions of *Codes* to ensure accuracy and consistency.

- 6.1.2 The TTV Committee continues in existence only until its tasks have been completed. (See Subsection 11.2.)
- 6.1.3 The TTV Committee meets at the call of its chair, acting on the advice of the NRC Construction *Code* production staff. (See Section 12.)
- 6.1.4 The TTV Committee conducts its business in French.

6.2 Responsibilities

- 6.2.1 The TTV Committee is responsible for the verification of the French translation of new technical content for new editions of the *Codes*. This involves reviewing all French text to ensure that it:
 - a) accurately reflects the intent of the originating committee's English text; and
 - b) has editorial accuracy and consistency within the French language versions of the *Codes*.
- 6.2.2 The TTV Committee asks NRC Construction staff for clarification when English text with unclear sentence structures or terminology is identified.
- 6.2.3 The TTV Committee chair notifies the CCBFC chair when matters related to the work of the TTV Committee require consideration by the CCBFC and attends CCBFC meetings at which issues related to the TTV Committee are to be considered.

6.3 Members

- 6.3.1 The TTV Committee consists of a chair and at least five (5) members who are selected for their technical expertise, broad knowledge of *Codes* terminology used by regulatory authorities in the construction industry and linguistic competence in both official languages, and non-voting ex officio members.
- 6.3.2 The CCBFC chair appoints the TTV Committee chair.
- 6.3.3 The TTV Committee chair selects and appoints the TTV Committee members and informs the CCBFC of their names.
- 6.3.4 The TTV Committee chair is required to sign a confidentiality agreement. (See Appendix I.)
- 6.3.5 Non-voting ex officio members are an advisor and a recording secretary who are provided by NRC Construction.

7 TASK GROUPS

7.1 General

- 7.1.1 Task groups are established by parent committee(s) on an as-needed basis when concentration of a particular expertise is required:
 - a) to assist the CCBFC in studying issues; or
 - b) to assist standing committees in undertaking detailed investigations and specific studies on complex subjects and in developing complex *proposed changes* within their terms of reference.
- 7.1.2 Establishment of and changes to a task group by the CCBFC is subject to the CCBFC's approval of the terms of reference before the task group begins or continues its work. Establishment of and changes to the task group membership captured in the terms of reference is subject to the Executive Committee's approval.

- 7.1.3 Establishment of and changes to a task group by standing committees is subject to the Executive Committee's approval of the terms of reference and membership before the task group begins or continues its work.
- 7.1.4 At the beginning of each *Code* cycle, the Executive Committee reviews and re-approves the task group whose mandate needs to continue.
- 7.1.5 Task groups continue in existence only until their tasks have been completed. (See Subsection 11.2.)
- 7.1.6 When expenses or staff resources are involved, the establishment of a task group or changes to its terms of reference is subject to the approval of the CCBFC deputy chair.
- 7.1.7 A task group meets at the call of its chair, taking into account the timing needs of its parent committee(s). (See Section 12.)
- 7.1.8 Task groups conduct their business in English.

7.2 Responsibilities

- 7.2.1 The terms of reference for a task group describe specific assigned tasks and are established by its parent committee(s).
- 7.2.2 The terms of reference for a jointly formed task group are agreed to by all its parent committees.
- 7.2.3 Task groups provide progress reports to their parent committee(s) each time the parent committee(s) meet(s).
- 7.2.4 Task groups provide a final written report to their parent committee(s) on the matters that the task group considered and the recommendations they made at the conclusion of their work.
- 7.2.5 The task group chair or designate is responsible for presenting the final report to the task group's parent committee(s) by introducing and explaining the issues studied and the task group's recommendations.
- 7.2.6 If parent committees disagree with each other over whether to accept the recommendations made by a joint task group, the matter is directed to the Executive Committee for guidance on a course of action for resolution.
- 7.2.7 Task groups are not authorized to publish their reports, papers, and recommendations as official records of matters considered by their parent committee(s). (See Article 5.2.5.)

7.3 Members

- 7.3.1 Task group members are recommended by the parent committee chair(s), and need not be members of the parent committee(s). When possible, task groups include members who are capable of representing the viewpoints of those likely to be directly affected by the matters under consideration.
- 7.3.2 Task group chairs are members of the parent committee(s) and are recommended by the parent committee chair(s).
- 7.3.3 When a member vacancy occurs, the parent committee chair(s) provisionally replace(s) the member until the appropriate committee can approve the replacement member. (See Articles 7.1.2 and 7.1.3.)

- 7.3.4 Non-voting ex officio members are a secretary or secretaries and, as needed, technical and/or research advisor(s), all of whom are NRC Construction staff and who are appointed by the NRC Construction General Manager.
- 7.3.5 Task groups may invite the participation of other individuals with special knowledge of the subject at hand to assist in their discussions. Such individuals are not members of the task groups.

8 WORKING GROUPS

8.1 General

- 8.1.1 Working groups are formed by parent committee(s) on an as-needed basis to address a specific issue as part of the parent committee(s) approved work.
- 8.1.2 Establishment of a working group does not require further approval.
- 8.1.3 Working groups do not receive financial support, but may if staff workload permits benefit from assistance from the parent committee(s) NRC Construction staff support.
- 8.1.4 Working groups continue in existence only until their work has been completed. (See Subsection 11.2.)
- 8.1.5 A working group meets at the call of its chair, taking into account the timing needs of its parent committee(s). (See Section 12.)
- 8.1.6 Working groups conduct their business in English.

8.2 Responsibilities

- 8.2.1 Working groups address a specific issue as defined and directed by the parent committee(s) and do not require terms of reference.
- 8.2.2 Working groups provide progress reports to the parent committee(s) each time the parent committee(s) meets.
- 8.2.3 Working groups provide a final written report to the parent committee(s) on matters that were considered and the recommendations made at the conclusion of their work.
- 8.2.4 If parent committees disagree with each other over whether to accept the recommendations made by a joint working group, the matter is directed to the Executive Committee for guidance on a course of action for resolution.
- 8.2.5 Working groups are not authorized to publish their reports, papers, and recommendations as official records of matters considered by their parent committee(s). (See Article 5.2.5.)

8.3 Members

- 8.3.1 Working group members and chairs are selected from the membership of the parent committee(s) by the parent committee chair(s).
- 8.3.2 Working groups may invite the participation of other individuals with special knowledge of the subject at hand to assist in their discussions. Such individuals are not members of the working group. (See Article 11.4.2.)

9 AD HOC TECHNICAL ADVISORY GROUPS

9.1 General

- 9.1.1 Jointly with PTPACC, ad hoc technical advisory groups are formed by the Executive Committee, when warranted, to address a provincial or territorial concern regarding standing committees' or Executive Committee's actions in responding to public comment as described in Article 17.8.6.
- 9.1.2 An ad hoc technical advisory group meets at the call of its chair, taking into account the timing needs of the CCBFC with regard to finalizing *Code* changes for the next edition. (See Section 12.)
- 9.1.3 Ad hoc technical advisory groups conduct their business in English.

9.2 Responsibilities

- 9.2.1 An ad hoc technical advisory group attempts to resolve provincial and territorial concerns as described in Subsection 17.9.

9.3 Members

- 9.3.1 All PTPACC members are invited to participate or be represented by a designate on each ad hoc technical advisory group.
- 9.3.2 An ad hoc technical advisory group consists of:
 - a) an Executive Committee member, who is appointed by the Executive Committee and serves as chair of the ad hoc technical advisory group;
 - b) the chair(s) of the committee(s) whose decisions gave rise to the concern;
 - c) a representative from the province or territory that raised the concern;
 - d) representatives from other provinces or territories who choose to participate; and
 - e) non-voting ex officio members.
- 9.3.3 Non-voting ex officio members of an ad hoc technical advisory group are the technical advisor(s) to the committee whose decision gave rise to the concern and a recording secretary provided by NRC Construction.
- 9.3.4 An ad hoc technical advisory group may invite the participation of other individuals with special knowledge of the subject at hand to assist in its discussions. Such individuals are not members of the ad hoc technical advisory group and do not have a vote.

PART B

General Provisions and Procedures

10 GENERAL

- 10.1.1 Part B covers the procedural rules for the committees of the *National Model Construction Code Documents* development system.
- 10.1.2 For all procedural rules not addressed in this document, the adaptation of rules of order applicable to assemblies other than the House of Commons as described in the most recent edition of “Bourinot’s Rules of Order” applies. In matters of dispute not covered by rules, a committee chair’s decision will prevail unless overturned by a successful motion.
- 10.1.3 In Part B, “committee” includes the CCBFC and all its committees and groups except when reference to a specific committee is evident.
- 10.1.4 For committees with an established matrix:
- a) the number of members in any one broad interest category of the matrix must be less than the combined total number of members in the other categories;
 - b) the retirement of a committee member does not result in a change in their broad interest category classification for the remainder of their current term of appointment; and
 - c) when a change occurs in committee membership that results in there being more members in one broad interest category than the combined total number of members in the other categories, the committee may not make any decisions until the imbalance is corrected. This restriction does not apply to geographic representation imbalances.

11 MEMBERS

11.1 Member Selection (See Appendix C.)

- 11.1.1 Committee members are selected based on their:
- a) knowledge of the matters considered by the committee,
 - b) capacity to contribute to the committee’s work;
 - c) ability to represent a broad interest category; and
 - d) for the CCBFC, the CCBFC Selection Committee, the SC Nomination Committee, and standing committees, ability to provide broad geographical representation.
- 11.1.2 Voting members are selected for their individual knowledge, experience and abilities, as well as for their capacity to make independent decisions regarding CCBFC business, rather than serving as proponents of any particular employer or group. (See Appendix E.)
- 11.1.3 A committee matrix shows the total intended number of voting and non-voting committee members. Voting members are organized by broad interest categories and subcategories that include a list of interests to be reflected and the possible sources from which these interests can be drawn. Non-voting members include ex officio and *key stakeholders*.
- 11.1.4 The three broad interest categories that apply to the CCBFC and standing committees matrices are:
- a) Regulatory – provincial, territorial, municipal and federal building, plumbing and fire officials or representatives of building-, plumbing-, fire-, industrial safety-, or environmental-related regulatory authorities, authorities having jurisdiction (AHJ) or other agencies having a regulatory function.
 - b) Industry – representatives of private sector companies involved in activities such as:

- i) building-, plumbing-, energy-, or fire-related materials interests, including production, supply, maintenance or promotion of products, materials, equipment, systems or processes; or
 - ii) development, design, construction, design or construction review, evaluation or manufacturing of buildings and facilities.
- c) General interest – representatives of private or public sector groups or segments of the public associated with or affected by the building and facilities industries and fire protection, including those involved in activities such as:
 - i) building, facilities and property management, or maintenance and operation of buildings and facilities;
 - ii) independent research, testing, certification, or standards development;
 - iii) teaching or training;
 - iv) insurance or warranties;
 - v) consumer interests;
 - vi) public health;
 - vii) energy utilities; or
 - viii) governmental energy management.

11.2 Appointments

- 11.2.1 The appointment term of committee members and chairs is normally consistent with the *Codes publication cycle*, beginning on 1 September and expiring on 31 August, except terms of task group members, working group members, ad hoc technical advisory group members, and TTV Committee members start with the beginning of the committee's work and end with the completion of the committee's work or dissolution of the committee.
- 11.2.2 Appointment of a committee member is normally limited to three (3) consecutive terms, subject to maintaining a reasonable degree of member rotation so that approximately one-third to one-half of a committee membership changes every *Codes publication cycle*. Under exceptional circumstances, additional terms may be considered.
- 11.2.3 Appointment of a committee chair is limited to two (2) consecutive terms.
- 11.2.4 Committee members must have access to email and the Internet.
- 11.2.5 Voting members are not permitted to name alternates to attend a meeting on their behalf.
- 11.2.6 Members notify the committee chair and secretary as soon as possible when they change business or employment status, so that the chair may take appropriate measures.
- 11.2.7 The CCBFC chair may request the resignation of a committee member or chair when the person has:
 - a) failed to participate in three (3) consecutive meetings (see Article 12.1.2);
 - b) changed business or employment status so as to no longer reflect a broad interest category specified in the matrix;
 - c) changed business or employment status causing an imbalance of interests such that one broad interest category has a sufficient majority of members to be able to control the vote; or
 - d) demonstrated unwillingness or inability to act in accordance with the rules of conduct in Subsection 11.3 or any other provision of these Policies and Procedures;
 and, in addition, for voting members:
 - e) failed to respond to two (2) consecutive ballots; or
 - f) failed to participate in two (2) meetings and respond to a ballot (consecutively, in any order).
- 11.2.8 In the case of CCBFC members, the request for resignation in Article 11.2.7 must have prior NRC approval.

- 11.2.9 When a committee member declines to resign upon request, or when all contact with the member is lost, the member may be removed by the CCBFC chair or, in the case of CCBFC members, by the NRC, and such action is reported to the committee chair and members.

11.3 Conduct of Members

- 11.3.1 As conditions of serving on a committee, all members:

- a) adhere to these Policies and Procedures;
- b) adhere to the Conflict of Interest Code for Members of NRC Advisory Bodies (see Appendix E);
- c) review meeting agendas in advance to identify a known or potential conflict of interest;
- d) declare a known or potential conflict of interest and, in such cases, abstain from voting or balloting, but need not leave a meeting. Subject to committee agreement, this member may participate in discussion of the matter;
- e) contribute to the committee discussions;
- f) work within the mandate of the committee;
- g) follow the practice of consensus-based decision making;
- h) base their points of view on sound technical and scientific bases;
- i) take positions in the interest of all Canadians and the *National Model Construction Code Documents*;
- j) familiarize themselves with the information provided to them upon their appointment;
- k) keep confidential all confidential information received through committee work; and
- l) act with respect to all participants in the *National Model Construction Code Documents* development system.

- 11.3.2 In addition to complying with Article 11.3.1, meeting chairs:

- a) encourage full presentation and discussion of all information and points of view;
- b) remain objective and refrain from imposing a position;
- c) maintain order at meetings (see Articles 12.2.5 and 12.2.6); and
- d) relinquish the chair position to the designated alternate chair or to a temporary chair to propose a motion or participate in committee discussions in matters relating to a known or potential conflict of interest, until the motion or matter has been concluded.

- 11.3.3 Committee members who believe the meeting chair has demonstrated an unwillingness or inability to act in accordance with Article 11.3.2 may propose a motion that the chair relinquishes the chair position until the matter or motion has been concluded.

11.4 Travel Expenses

- 11.4.1 Except as provided in Article 11.4.2, voting members, non-voting ex officio members and invited guests, on prior request to NRC Construction and according to the NRC Guidelines for Non-Staff Travel, may be reimbursed for out-of-pocket expenses incurred in attending meetings, or otherwise participating in the work of their committee, but with no remuneration for their time. Members are asked to indicate their intention to charge such expenses when they are first appointed to a committee.

- 11.4.2 The following are not eligible for reimbursement of travel expenses except in unusual circumstances:

- a) non-voting *key stakeholder* members;
- b) working group members and invited guests at working group meetings;
- c) employees of Federal Government departments or agencies;
- d) CCBFC members who are not Executive Committee members for attending Executive Committee meetings; and
- e) observers at meetings.

- 11.4.3 Claims for travel are to be submitted on the NRC travel expense claim form within four (4) weeks following a meeting. Itemized expenses and original receipts in conformance with the NRC

Guidelines for Non-Staff Travel at the time of travel are required. Members must annually submit their Non-Staff Travel Agreement by September 1 of each year.

12 MEETINGS

12.1 Notices and Locations

- 12.1.1 Dates, times and locations of committee meetings that non-committee members may attend are announced in advance whenever possible in relevant printed and electronic publications to enable public attendance.
- 12.1.2 Meetings may be held in person or by teleconference, video conference, or other electronic media, as considered appropriate by the CCBFC deputy chair for the matters under consideration, and with respect to time constraints and budget limitations.
- 12.1.3 In person CCBFC and standing committee meetings rotate to locations across Canada, as approved by the CCBFC deputy chair and with respect to budget limitations, to encourage public attendance and participation of *Code* users.
- 12.1.4 Information sharing, discussions, informal polling, balloting and other work are encouraged between meetings to save time at meetings. The results of such communications are reported at the next meeting.

12.2 Attendance and Participation

- 12.2.1 Non-committee members may attend as observers at:
 - a) CCBFC meetings;
 - b) those portions of Executive Committee meetings called to consider changes to Divisions A and C and Division B, Part 1 of the *Codes*;
 - c) standing committee meetings; and
 - d) task group meetings.

Observers are requested to notify the committee secretary at least two (2) days in advance to determine whether their presence can be accommodated.
- 12.2.2 Attendance is limited to members of the committee, NRC Construction staff, invited guests and approved observers at meetings of the:
 - a) Executive Committee, except as provided in Clause 12.2.1 (b) and Article 12.2.3;
 - b) CCBFC Selection Committee;
 - c) SC Nomination Committee;
 - d) TTV Committee;
 - e) working groups; and
 - f) advisory groups.
- 12.2.3 Provided notice is given to the committee secretary at least two (2) days before the meeting, and subject to available space in the meeting room, CCBFC members may attend as observers at Executive Committee meetings. (See Article 11.4.2.)
- 12.2.4 Use of audio or visual recording equipment during meetings is not permitted.
- 12.2.5 Meeting chairs have discretion to determine who shall be heard.
- 12.2.6 Meeting chairs have discretion to determine when a person attending at a meeting has become disruptive and may request that person to remove him or herself and may modify the agenda to address the circumstances of the disruption.

- 12.2.7 At standing committee and task group meetings, the chair may require non-committee members to leave for a portion of the meeting because of the nature of the subject being discussed, such as confidential information. A report of the justification for this request and a summary of the closed discussion must be submitted to the Executive Committee.
- 12.2.8 People wishing to submit written materials regarding a meeting agenda item for distribution to committee members are encouraged to submit the materials to the committee secretary at least two (2) weeks prior to attending committee meetings. Materials submitted during meetings may be distributed only with approval of the committee chair.
- 12.2.9 People wishing to make a presentation to a meeting on a particular subject must notify the committee chair or secretary in writing at least four (4) weeks before the meeting, describing the nature and scope of the subject to be addressed, stating the desired length of time needed to make the presentation, and providing a written copy of material to be presented.
- 12.2.10 Committee chairs may approve, reject or defer a request to make a presentation based on the subject's relevance to the committee's responsibilities and work. When such a request is approved, the committee chair and secretary will schedule the presentation to suit the committee's agenda, set a time period for the presentation and related discussion, and advise the requester.

12.3 Agendas

- 12.3.1 Agenda packages, which consist of an agenda outline plus supporting materials, are subject to approval by the committee chair.
- 12.3.2 An electronic agenda package is provided to committee members:
- a) at least two (2) weeks before CCBFC, Executive Committee and standing committee meetings; and
 - b) as soon as possible before all other meetings, except that an agenda package is not required for working group meetings.
- 12.3.3 Information submitted to a committee that is not included as supporting materials in an agenda package is posted on an accessible web site or otherwise distributed to committee members.
- 12.3.4 Submission of information to the committee secretary well in advance of meetings is encouraged so that the committee chair may rule on its inclusion in an agenda package.
- 12.3.5 Before all committee meetings, other than working group meetings, an agenda outline is provided to members of its parent committee. Members of the parent committee may obtain related supporting materials upon request.
- 12.3.6 The following are provided to each PTPACC member at least two (2) weeks before the meeting:
- a) agenda outlines for CCBFC meetings;
 - b) agenda outlines for Executive Committee meetings; and
 - c) agenda packages for standing committee meetings.
- 12.3.7 Electronic agenda packages, outlines and supporting materials are available to the public upon request, in accordance with Section 15.
- 12.3.8 Inquiries concerning subjects to be discussed at committee meetings are directed to the committee's secretary.

12.4 Conduct of Meetings

- 12.4.1 Quorum is a minimum of 50 per cent of the total number of voting members of a committee.

- 12.4.2 When the committee chair and the designated alternate chair, if applicable, are absent from a meeting, the committee selects a temporary chair to run the meeting until the committee chair or designated alternate chair is available.
- 12.4.3 Motions can be made by voting members and by non-voting *key stakeholders*.
- 12.4.4 Committee decisions are based on the “consensus” principle whenever possible. Consensus is substantial agreement of members, includes resolution of all significant concerns and technical disagreements, and implies much more than the concept of a simple majority but not necessarily unanimity. Consensus requires that all opinions be considered and weighed and that any statement of committee agreement should be reached only after full and fair discussion of the issues involved. Negative opinions deserve careful consideration by a committee.
- 12.4.5 Except for motions required by Article 12.4.6, meeting chairs assist committees in using consensus-based decision making to reach decisions. Discussion on an item is solicited by the meeting chair before motions on that item are accepted. The meeting chair summarizes each committee discussion to reflect the “sense of the meeting,” subject to the committee’s agreement. The meeting chair should ensure that decision summaries are clear and understood by all so that they may be properly recorded in the meeting records and that any dissenting members have full opportunity to express their views.
- 12.4.6 When a member feels that the meeting chair’s summary does not accurately reflect the consensus of committee members’ views or that the committee has not given sufficient consideration to certain factors, the member may ask that this opinion be recorded in the meeting records.
- 12.4.7 Motions and voting or balloting are required:
- a) by committees to approve minutes;
 - b) by standing committees and the CCBFC to approve publication of reports and papers as official records of matters considered by the committees;
 - c) by standing committees and the Executive Committee to recommend changes to the *National Model Construction Code Documents* for approval by the CCBFC;
 - d) by the CCBFC to approve changes to the *National Model Construction Code Documents*; and
 - e) by the CCBFC to approve changes to these Policies and Procedures.
- 12.4.8 When motions are introduced, voting and balloting is done according to the procedures in Section 13.

12.5 Records of Meetings

- 12.5.1 Minutes are prepared and distributed to members of the committee for all meetings of the:
- a) CCBFC;
 - b) Executive Committee;
 - c) CCBFC Selection Committee;
 - d) TTV Committee;
 - e) SC Nomination Committee; and
 - f) standing committees.
- 12.5.2 Standing committee minutes, and excerpts of the minutes that report on those portions of the Executive Committee meetings called to consider changes to Divisions A and C and Division B, Part 1 of the *Codes*, are distributed to each CCBFC and PTPACC member.

- 12.5.3 Written records of meetings in the form of minutes or reports are prepared and distributed to committee members and submitted to the parent committee(s) for:
 - a) task groups;
 - b) working groups; and
 - c) advisory groups.
- 12.5.4 Summary reports of the issues discussed, recommendations made and decisions taken at CCBFC meetings are provided to each PTPACC member.
- 12.5.5 Summary reports of the issues discussed, recommendations made and decisions taken at Executive Committee meetings are provided to CCBFC members.
- 12.5.6 Summary reports are prepared for closed discussions at standing committee and task group meetings as described in Article 12.2.7 and submitted to the Executive Committee.
- 12.5.7 Minutes record the meeting date and location and list those in attendance and those absent.
- 12.5.8 Minutes are as brief as possible and to the point. All decisions and the reasons for them are clearly recorded, together with any necessary supporting or background information included as appendices. Alternate courses of action considered are recorded along with the reasons for their rejection. Speakers are not normally identified, but their names may be recorded if that information is directly relevant to an issue being discussed or if recording is specifically requested by the speaker.
- 12.5.9 Names of movers and seconders of motions are recorded in minutes. Voters are not normally identified, but their name may be recorded if specifically requested by the voter.
- 12.5.10 Each set of minutes contains a "List of Actions Arising" from the meeting and the names of those responsible for such actions.
- 12.5.11 Minutes include appendices that contain agenda supporting information and any information that was provided during the meeting.
- 12.5.12 Minutes are approved by motion and voting at the next committee meeting or balloting, subject to the correction of any errors or omissions.
- 12.5.13 A master copy of each set of minutes, after approval with corrections noted, is signed by the secretary and forwarded to the NRC Archives Section.
- 12.5.14 Task group, working group and advisory group records of meetings become part of the parent committee(s)' minutes and need not be forwarded to the NRC Archives Section separately, except when warranted.
- 12.5.15 Records of meetings, after approval with corrections noted, are available to the public upon request only, in accordance with Section 15.

13 VOTING AND BALLOTING PROCEDURES

13.1 General

- 13.1.1 Voting and balloting are done according to the provisions of this section.
- 13.1.2 During meetings, voting is done by a show of hands or voting cards, unless a written vote is deemed necessary by the chair.

- 13.1.3 Between meetings, balloting is done in writing in hard copy or electronic form during balloting periods. Ballots are used to reach decisions on non-complex matters, administrative matters, or matters that were previously discussed during a meeting. Comments submitted during discussion are made available to members before the balloting period. Ballot results and additional submitted comments, along with recorded negative ballots, if any, are made available to members immediately after the balloting period and reported at the next meeting.
- 13.1.4 Motions are worded such that their success results in an action to be taken and failure results in status quo. If an inactive motion or a motion that confirms an existing condition is proposed, the chair declares the motion out of order and asks for a re-worded motion.
- 13.1.5 Once a motion is placed before the committee, a discussion follows:
- a) in person or by live teleconference when voting; or
 - b) on an electronic forum when balloting where such a forum:
 - i) is available for submission of comments for a two (2) week discussion period;
 - ii) is available to all committee members; and
 - iii) is monitored by the committee chair, who may amend or withdraw the motion based on comments submitted during the discussion.
- 13.1.6 After a discussion on a motion is completed, the motion is:
- a) put to a vote; or
 - b) after an interval that allows members to review comments submitted during the discussion period, put to a ballot during a balloting period of one (1) week.
- 13.1.7 Committee chairs may cast votes and ballots in the same form as committee members.
- 13.1.8 Abstentions, unreturned ballots, and blank returned ballots do not count as votes or ballots cast.
- 13.1.9 Comments submitted with a ballot are dealt with by the committee chair or secretary.
- 13.1.10 A motion is carried when:
- a) a minimum of 2/3 of votes cast are affirmative, provided affirmative votes are cast by a minimum of 50 per cent of the total number of eligible voting members of the committee; or
 - b) a minimum of 80 per cent of ballots cast are affirmative, provided affirmative ballots are cast by a minimum of 2/3 of the total number of eligible voting members of the committee.
- 13.1.11 When a motion has obtained the required percentage of affirmative votes or ballots cast but does not receive affirmative votes or ballots from the required number of eligible voting members, the motion together with the result is reconsidered in a subsequent committee meeting or balloting.
- 13.1.12 A recorded negative vote or ballot occurs when a member casts a negative vote or ballot and asks to be identified in the record as having done so. Recorded negative votes or ballots must be accompanied by supporting reasons. Recorded negative ballots are reported with the ballot results at the next meeting.

14 COMMUNICATIONS

14.1 General

- 14.1.1 Written communications includes hard copy and electronic formats.
- 14.1.2 All written and oral communications with respect to official CCBFC views and CCBFC business is done by the CCBFC chair or other person designated by the chair.
- 14.1.3 All written and oral communications with respect to committee business goes through the committee chair or other person designated by the chair.

- 14.1.4 Inquiries concerning committee discussions and recommendations are directed to the committee's secretary.
- 14.1.5 Committee members and CC staff do not evaluate specific designs, products or methods relative to conformance to the *National Model Construction Code Documents*, nor attempt to mediate or arbitrate disputes relative to conformance. Committee members who perform such duties in the course of their employment shall keep these duties separate from committee business.
- 14.1.6 People requesting official interpretations of the contents of *National Model Construction Code Documents* are advised that such requests should be submitted to the appropriate provincial, territorial or municipal authority who may have adopted the document or have responsibility for enforcing it. Only the AHJ may provide an interpretation of an adopted *Code*.
- 14.1.7 Requests for general explanations of the contents of *National Model Construction Code Documents* may be answered by NRC Construction staff. Such explanations are advisory only.
- 14.1.8 People requesting evaluations and acceptance of alternate solutions or proprietary products or methods are referred to:
 - a) the appropriate provincial, territorial or municipal authority; or
 - b) recognized evaluation bodies.
- 14.1.9 People requesting interpretations or explanations of the content of a referenced document are referred to the organization publishing that document.
- 14.1.10 Committee advisors and secretaries remain objective inside or outside of committee discussions. They are expected to explain and support committee decisions to external audiences. (See Appendix D.)

14.2 Communications with the Provinces and Territories

- 14.2.1 Formal communications between the CCBFC and PTPACC normally take place between the chairs. Secretaries of the CCBFC and PTPACC maintain a log of formal written communications between the committees, which indicates whether response is expected or received.
- 14.2.2 Formal communications between the CCBFC and provincial and territorial authorities normally take place between the CCBFC chair and the responsible provincial or territorial deputy minister. The CCBFC secretary maintains a log of formal written communications between the CCBFC and provincial and territorial authorities, which indicates whether response is expected or received.

15 PUBLIC INFORMATION

15.1 General

- 15.1.1 The CCBFC is committed to respecting the personal privacy of individuals. Personal information is only obtained if it is supplied voluntarily, and that personal information is protected under the *Federal Privacy Act*.
- 15.1.2 The CCBFC is committed to maintaining an open and transparent *National Model Construction Code Documents* development system. All development system materials are available to the public upon request; however, subject to the provisions of the *Federal Access to Information and Privacy Acts*, the CCBFC will seek to protect the confidentiality of:
 - a) agenda supporting materials and minutes of meetings of the:
 - i) Executive Committee, other than those portions of Executive Committee meetings called to consider changes to Divisions A and C and Division B, Part 1 of the *Codes*;
 - ii) CCBFC Selection Committee;
 - iii) SC Nomination Committee; and
 - iv) advisory group;

- b) proprietary information; and
- c) personal information described in Article 15.1.1.

PART C

Development System

16 NATIONAL MODEL CONSTRUCTION CODE DOCUMENTS

16.1 General

- 16.1.1 *National Model Construction Code Documents* and all changes thereto are developed according to this Part.
- 16.1.2 Notwithstanding the provisions of this Part, the CCBFC may take exceptional actions to modify the *National Model Construction Code Documents* when the emergency issuance of a *proposed change* is deemed necessary on its own merit. Issuance of such an emergency change does not cancel the requirement for the change to be issued for public review during the next public review period or to complete the development process.
- 16.1.3 Format, structure and contents of the *National Model Construction Code Documents* comply with protocols set in Code Writing Guidelines. (See Appendix J.)

16.2 New Editions

- 16.2.1 *Codes* and intent statements user's guides are issued as new editions according to a schedule determined by the CCBFC in consultation with PTPACC.
- 16.2.2 Technical user's guides are issued as new editions at times determined by the CCBFC.
- 16.2.3 Revisions and *errata* are issued between editions of *Codes* at times determined by CC to advise of *interim changes*, revisions, *errata*, *referenced document updates*, and general information updates.

16.3 Strategic Planning and Priorities

- 16.3.1 In consultation with PTPACC, the CCBFC periodically undertakes a strategic planning initiative to identify emerging *Code* development issues and needed improvements to the *National Model Construction Code Documents* development system.
- 16.3.2 The CCBFC responds to requests for increased priority on specific tasks by providing direction to the appropriate committee(s).
- 16.3.3 The CCBFC, with advice from standing committees and PTPACC, annually establishes and re-examines priorities through the work plan approval process.
- 16.3.4 CC staff prepares a table showing the status of work identified as having increased priority and submits it for consideration at CCBFC and Executive Committee meetings.

16.4 Standing Committee Work Plans

- 16.4.1 Each fall, every standing committee prepares an annual work plan and submits it for approval to the CCBFC.
- 16.4.2 Work plans are based on a balance of requests, time constraints, capacities and resources for each standing committee.
- 16.4.3 Work plan submissions include:

- a) a list of approved tasks, proposed tasks and minor tasks that the standing committee proposes to work on during the year showing beginning and end dates in project management format;
 - b) a status report on the progress of previously approved tasks;
 - c) a list describing the proposed tasks; and
 - d) a report on minor tasks that were completed during the previous year.
- 16.4.4 Minor tasks that do not require approval by the CCBFC before work is undertaken:
- a) address changes that require only minimal investment of resources;
 - b) do not compromise the committee's ability to complete approved tasks;
 - c) include *errata*, clarification of ambiguous language, *editorial changes*, and minor technical changes that:
 - i) are not controversial;
 - ii) are not complex;
 - iii) require little effort to develop;
 - iv) do not involve policy issues;
 - v) do not involve scope issues;
 - vi) do not involve enforcement issues;
 - vii) have minor cost impacts; and
 - viii) do not require task group involvement.
- 16.4.5 Once a work plan is approved, every task in that work plan continues as an approved task for the standing committee until the task is:
- a) completed; or
 - b) modified, deferred or cancelled in a subsequent work plan approval.
- 16.4.6 CC staff updates the work plans and submits them to Executive Committee meetings.

17 DEVELOPMENT OF CODES AND INTENT STATEMENTS

17.1 General

- 17.1.1 The *National Model Construction Code Documents* development system, when NRC Construction's Content Management System is completed and in use, will enable participants to access the status of *requested changes* and *proposed changes*, including features intended to allow:
- a) proponents of *requested changes* to know the status of their *requested changes*;
 - b) the provinces and territories to review and monitor *requested changes*, *proposed changes* and comments submitted during public review; and
 - c) the CCBFC, standing committees, and NRC Construction staff to review and monitor *requested changes*, *proposed changes* and comments submitted during public review.

17.2 Submission of Requested Changes

- 17.2.1 All *requested changes* to *Codes*:
- a) must be submitted to CC;
 - b) must be compliant with submission guidelines (see Appendix F);
 - c) may be submitted at any time; and
 - d) may be submitted by any individual or group, including committees and their members, provinces, territories, AHJ, the CCCME and NRC staff.
- 17.2.2 CC staff returns *requested changes* that do not comply with submission guidelines to the proponent with a request for missing or additional information and, if possible, advice on sources of information.
- 17.2.3 CC staff returns *requested changes* intended solely to accommodate proprietary products to the proponent with advice to direct such requests to an appropriate product evaluation agency.

- 17.2.4 CC staff forwards *requested changes* to requirements exclusive to a province or territory or to administrative requirements of an adopting authority to the appropriate province or territory or adopting authority.
- 17.2.5 CC staff returns *requested changes* that apply to provisions of referenced documents or non-*National Model Construction Code Documents* to the proponent with advice to direct such requests to the appropriate standards development organization or Code-writing body.
- 17.2.6 Provincial and territorial amendments to *Codes* must be submitted as *requested changes* to receive consideration for inclusion in *National Model Construction Code Documents*.

17.3 Initial Processing of Requested Changes

- 17.3.1 CC staff analyzes each *requested change* to direct the request and to facilitate consideration of the request.
- 17.3.2 *Requested changes* with CC staff analysis are directed to the relevant standing committee for consideration.
- 17.3.3 *Requested changes* with CC staff analysis are directed to the Executive Committee for advice when the *requested change*:
 - a) applies to Division A, Division C or Division B, Part 1 provisions of a *Code*; or
 - b) falls outside the scope or application of objectives and functional statements of a *Code*.
- 17.3.4 *Requested changes* with CC staff analysis and an explanation of potential concerns are directed to the Executive Committee for advice when it is possible to identify that the *requested change*:
 - a) involves policy issues;
 - b) is expected to impose a significant cost increment or economic impact;
 - c) is expected to impose a significant enforcement impact;
 - d) is expected to receive substantial adverse reaction from those affected; or
 - e) has received significant concern from a province or territory.

17.4 Consideration of Requested Changes by Standing Committees

- 17.4.1 In considering a *requested change*, a standing committee takes one of the following actions:
 - a) directs the request to the Executive Committee for advice, when it is possible to identify the *requested change* as described in Article 17.3.4;
 - b) undertakes development and may prepare a *proposed change*, if it decides that the request is within the scope of an approved task or that it can be addressed by a minor task (see Article 16.4.4);
 - c) prioritizes the request and incorporates the additional task into a proposed work plan (see Article 16.4.3) before beginning work, if it decides that the request will require approval of an additional task;
 - d) asks CC staff to seek more input from the proponent, if it decides that the submission is not sufficiently clear or justified;
 - e) recommends that additional research results are obtained before determining further action to be taken on the request; or
 - f) rejects the *requested change* and records their rationale.

- 17.4.2 To develop a *proposed change*, a standing committee may:
- a) form a working group to consider the *requested change* and make recommendations; or
 - b) ask for approval to establish a task group to consider the *requested change* and make recommendations.
- 17.4.3 Development of a *proposed change* includes:
- a) consideration of existing related provincial and territorial requirements;
 - b) analysis of costs and benefits;
 - c) assessment of enforcement implications;
 - d) preparation of supportive rationale;
 - e) development of new, or revisions to existing, intent statements, if applicable; and
 - f) development of new, or revisions to, existing objective-based information, if applicable.
- 17.4.4 Development of a *proposed change* may require several iterations as the *proposed change* is discussed, improved and refined.
- 17.4.5 When consensus on a *proposed change* has not been achieved, additional development is undertaken, or the *proposed change* is rejected and the proponent of the *requested change* informed. Public review shall not be used to test acceptance of *proposed changes*.
- 17.4.6 *Proposed changes* that affect other contents of the same or another *Code* that are the responsibility of another standing committee, are developed jointly by affected standing committees, or are submitted by the originating standing committee to all relevant standing committees for endorsement. When agreement between standing committees is not achieved, rationale for the differences between provisions addressing similar issues are documented and provided to the Executive Committee for consideration.
- 17.4.7 When standing committees are satisfied that the requirements of a *proposed change* are technically sound, cost effective, justifiable and enforceable, they:
- a) recommend the *proposed change* to the CCBFC for approval pending public review; and
 - b) develop updates to related information in technical user's guides, subject to the requirements of Section 18.

17.5 Consideration by the Executive Committee

- 17.5.1 When a *requested change* or *proposed change*, other than a change applying to Division A, Division C or Division B, Part 1 of a *Code*, is directed to the Executive Committee for consideration, the Executive Committee takes one or several of the following actions:
- a) refers the change to relevant standing committees for consideration;
 - b) refers the change to relevant standing committees for reconsideration, taking into account submitted comments;
 - c) seeks PTPACC advice on the change;
 - d) refers the change to CC staff or a working group for consideration;
 - e) recommends that the CCBFC establish a task group to consider the change;
 - f) forwards the change to the next step in the development process;
 - g) refers the change to the CCBFC for decision; or
 - h) takes other actions as appropriate to the issue.
- 17.5.2 When a *requested change* applying to Part 1 of Division A of a *Code* is directed to the Executive Committee for consideration, the Executive Committee:
- a) refers the *requested change* to standing committees for technical development of a *proposed change*;
 - b) seeks PTPACC advice on the *requested change*;
 - c) refers the *requested change* to CC staff or a working group for consideration;
 - d) recommends that the CCBFC establish a task group to consider the *requested change*;
 - e) refers the *requested change* to the CCBFC for decision; or

- f) takes other actions appropriate to the *requested change*.
- 17.5.3 When a *proposed change* applying to Part 1 of Division A of a *Code* is directed to the Executive Committee, the Executive Committee:
- a) verifies that the *proposed change* meets all the requirements that apply to a *proposed change* developed by standing committees, or completes the development;
 - b) seeks agreement for the *proposed change* from all standing committees; and
 - c) recommends the *proposed change* to the CCBFC for approval pending public review when satisfied that the requirements of a *proposed change* are reasonable, cost effective, justifiable and enforceable.
- 17.5.4 When a *requested change* or *proposed change* applying to Parts 2 or 3 of Division A is directed to the Executive Committee for consideration, the Executive Committee follows the Protocol for Addressing a Change to Objectives in the National Model Codes. (See Appendix L.)
- 17.5.5 When a *requested change* or *proposed change* applying to Division C of a *Code* is directed to the Executive Committee for consideration, the Executive Committee takes appropriate actions.
[protocol under development]
- 17.6 Reviews of Initial Processing and Proposed Change Development**
- 17.6.1 Information about initial processing of *requested changes* is made available to CCBFC members and to the provinces and territories through each PTPACC member with an invitation to provide comments, concerns or additional information. Responses addressing technical aspects of *requested changes* are directed to the relevant standing committee. All other responses are directed to the Executive Committee for consideration.
- 17.6.2 *Proposed changes* to *Codes* and to intent statements that have been recommended by standing committees and the Executive Committee, along with a summary document describing significant *proposed changes*, are made available in English to CCBFC members and to the provinces and territories through each PTPACC member. Recipients have one (1) month to submit comments to the Executive Committee about the policy and administrative suitability of the *proposed changes*. Comments about the technical adequacy of the *proposed changes* are submitted during the public review period.
- 17.6.3 Lack of response to a request for comments in Article 17.6.2 is understood to mean that the members do not object to continuation of the development process.
- 17.7 Coordinated Public Review of Proposed Changes**
- 17.7.1 After completion of the time period allowed for reviews by CCBFC and PTPACC members described in Article 17.6.2, all *proposed changes* to *Codes* are issued for public review except:
- a) as provided in Article 16.1.2; and
 - b) *errata*, *editorial changes*, *editorial revisions*, and general information updates.
- 17.7.2 *Proposed changes* to *Codes* are issued for public review in both official languages for a two (2) month period each fall and appropriate public notification is made. Additional, similar public review periods may be called, when necessary, at other times of the year.
- 17.7.3 The Internet is the primary format for distribution of public review information and receipt of comments.
- 17.7.4 The CCBFC does not approve *proposed changes* before they are released for public review. (See Article 17.6.2 for CCBFC members' policy review before public review.)

- 17.7.5 *Proposed changes* issued for public review are accompanied by the existing provisions, rationale, (including information on costs, benefits and enforcement implications), and the applicable objectives and functional statements.
- 17.7.6 Comments from CCBFC members and the provinces and territories about the technical adequacy of *proposed changes* are submitted during public review, not during the pre-review period described in Article 17.6.2.
- 17.7.7 The provinces and territories are invited to coordinate their public review activities with the national public review periods.
- 17.7.8 The provinces and territories are encouraged to forward to CC those comments regarding *National Model Construction Code Documents* provisions that are submitted to a province or territory.
- 17.7.9 Comments regarding provisions exclusive to a province or territory or to administrative requirements of an adopting authority that are submitted to CC are forwarded by CC to the appropriate province or territory or adopting authority.

17.8 Consideration of Public Comments Regarding Proposed Changes

- 17.8.1 A *proposed change* is directed to the CCBFC for approval after public review when:
 - a) no comments or only supportive comments were received; and
 - b) the *proposed change* is not affected by comments on related *proposed changes*.
(See Article 17.8.6 for opportunity for PTPACC members to raise concerns regarding this action.)
- 17.8.2 All comments regarding *proposed changes* are directed to the appropriate standing committees or Executive Committee.
- 17.8.3 In response to comments on a *proposed change* that has not been directed to the CCBFC in accordance with Article 17.8.1, a standing committee or the Executive Committee:
 - a) recommends with accompanying rationale that the CCBFC:
 - i) proceed with the *proposed change* as originally proposed;
 - ii) proceed with an *editorial revision*;
 - iii) proceed with a revised version of the *proposed change* if, in the committee's view, such action would not result in substantial adverse reaction from the public; or
 - iv) withdraw the *proposed change*; or
 - b) defers the *proposed change* for reconsideration including possible resubmission for public review in revised form, and reports this deferral action to the CCBFC.
- 17.8.4 Standing committee minutes and Executive Committee minutes for those portions of Executive Committee meetings called to consider changes to Divisions A and C and Division B, Part 1 of the *Codes* must clearly state the reasons for the decisions taken regarding the disposition of comments received during the public review stage.
- 17.8.5 After consideration of public comment and finalization of *proposed changes*, motions and voting or balloting of committees are required to recommend *proposed changes* to the CCBFC for approval:
 - a) as changes to the next editions of *Codes*;
 - b) as *interim changes*; or
 - c) as *referenced document updates*.
- 17.8.6 Standing committees' and the Executive Committee's actions responding to public comment are made available to the provinces and territories through each PTPACC member. Recipients have one (1) month to raise concerns to the Executive Committee. Concerns are resolved as described in Subsection 17.9.

- 17.8.7 Lack of response from a province or territory to a request for concerns in Article 17.8.6 is understood to mean that the province or territory does not object to continuation of the development process.

17.9 Resolution of Provincial and Territorial Concerns

- 17.9.1 Concerns raised by any province or territory regarding standing committees' or Executive Committee's actions in responding to public comment are made available to each PTPACC member.
- 17.9.2 The Executive Committee addresses a provincial or territorial concern by:
- a) forming an ad hoc technical advisory group, when warranted (see Section 9); or
 - b) taking other actions as appropriate to the issue and notifying the province or territory that raised the concern.
- 17.9.3 When an ad hoc technical advisory group is able through discussion to satisfy the province or territory that raised the concern that the standing committees' or Executive Committee's actions responding to public comment were appropriate, the group is dissolved and each PTPACC member is notified that the concern has been resolved.
- 17.9.4 When the ad hoc technical advisory group is not able to resolve the concern as described in Article 17.9.3, it prepares a report of its discussions with, if possible, a recommendation that the CCBFC:
- a) proceed with the *proposed change* as originally proposed;
 - b) proceed with an *editorial revision*;
 - c) proceed with a revised version of the *proposed change* if, in the advisory group's view, such action would not result in substantial adverse reaction from the public;
 - d) withdraw the *proposed change*; or
 - e) defer the *proposed change* for reconsideration including possible resubmission for public review in revised form.
- 17.9.5 The report and recommendation of each ad hoc technical advisory group are circulated to each PTPACC member and to members of the relevant standing committees for reaction before consideration by the Executive Committee. Lack of response from a province or territory is understood to mean that the province or territory does not object to continuation of the development process.
- 17.9.6 All reactions from the provinces and territories and from the relevant standing committees are provided to the Executive Committee for consideration along with the ad hoc technical advisory group report.
- 17.9.7 The Executive Committee recommends a suitable resolution for consideration by the CCBFC.
- ## **17.10 Consideration of Proposed Changes by the CCBFC**
- 17.10.1 *Proposed changes* to *Codes* and recommendations for approval are submitted in English to the CCBFC, together with a report on any unresolved standing committee negative votes, and recommendations from the Executive Committee.
- 17.10.2 The CCBFC must be satisfied that its committees have developed *Codes* that reflect established objectives and that the *Codes* were developed according to established procedures with appropriate stakeholder input and comment. Comments on the technical adequacy of *proposed changes* from CCBFC members are submitted during public review.
- 17.10.3 Motions and voting or balloting of CCBFC members are required to approve *proposed changes* to *Codes*.

- 17.10.4 *Proposed changes to Codes* recommended by standing committees or the Executive Committee that the CCBFC approves are published:
- a) as changes to the next editions of *Codes*;
 - b) as *interim changes*; or
 - c) as *referenced document updates*.

17.11 Appeals

- 17.11.1 Any person or group may appeal procedural actions of standing committees, task groups, working groups and advisory groups. The CCBFC does not hear appeals of technical decisions which determine the content of the *Codes*. Reconsideration of a technical matter is triggered by submission of a *Code* change request that is based on information not previously considered.
- 17.11.2 Appeals must be requested in writing to the CCBFC within 60 days of the procedural action being appealed.
- 17.11.3 Appeals shall include:
- a) a description of the action being appealed;
 - b) the contact information for the appellant;
 - c) the reason why the action is being appealed; and
 - d) the action or change requested.
- 17.11.4 The Deputy Chair attempts to resolve an appeal request by reviewing the matter with the appellant, the subject committee and the relevant technical advisor(s). Should resolution not be achieved within 30 days of receipt of the appeal request, the Deputy Chair directs the request to the Secretary to convene the *appeal committee* to hear the appeal.
- 17.11.5 The *appeal committee* hears and responds to appeals of standing committee, task group, working group and advisory group procedural actions on behalf of the CCBFC, except that an ad hoc *appeal committee* as described in Article 17.11.6 hears and responds to appeals of procedural actions of the Executive Committee when it is acting as a standing committee for Divisions A and C and Division B, Part 1 of a *Code*.
- 17.11.6 The ad hoc *appeal committee* consists of three (3) CCBFC members appointed by the CCBFC chair who:
- a) are not members of the Executive Committee;
 - b) are not directly involved in the matter being appealed; and
 - c) are not materially or directly affected by any decision made or to be made in the appeal.
- 17.11.7 The chair of the ad hoc *appeal committee* is selected by the members of the ad hoc *appeal committee*.
- 17.11.8 The *appeal committee* shall determine if sufficient information has been provided to schedule a hearing. If additional information is required by the *appeal committee*, the appellant shall be given 30 days to respond. If the appellant does not provide the additional information within this time limit, the appeal shall be considered abandoned.
- 17.11.9 Hearings shall be conducted following the guidelines in Appendix K.
- 17.11.10 Notice of an appeal hearing is issued within 60 days of receipt of an unresolved appeal request.
- 17.11.11 Notice of an appeal hearing is posted on the CCBFC Web site and contains sufficient information about the case to allow the parties to prepare for the hearing, including but not limited to:
- a) the date, time and location of the hearing;
 - b) the reason for the hearing; and

- c) the parties and issues involved.
- 17.11.12 The notice of hearing is sent to:
 - a) the appellant;
 - b) other parties directly affected by the matter; and
 - c) CCBFC members.
- 17.11.13 Any matter arising in connection with the appeal not addressed herein shall be subject to the decision of the *appeal committee*.
- 17.11.14 The *appeal committee* issues a report that includes:
 - a) a summary of the discussion;
 - b) the materials presented;
 - c) the decision; and
 - d) the reasons for the decision.
- 17.11.15 The *appeal committee* distributes the report of its decisions, including reasons to the appellant and all other parties affected by the decisions within 30 days of the end of the hearing. Other interested parties may request and receive the report.
- 17.11.16 There is no further appeal from decisions that have been ratified by the CCBFC.
- 17.12 Interim Changes**
 - 17.12.1 Interim changes:
 - a) address a potentially dangerous situation; or
 - b) address an economic hardship caused by restriction of appropriate use of materials, appliances, systems, equipment, methods of design, construction procedures, industrial processes, or methods of operation of facilities.
 - 17.12.2 The CCBFC may, after seeking advice from PTPACC, authorize *interim changes*.
 - 17.12.3 All *Codes* development procedures of this Section apply to *interim changes*.
 - 17.12.4 When the CCBFC approves the issuing of an *interim change*, each PTPACC member is asked to advise whether the CCBFC chair should directly notify the responsible provincial or territorial deputy minister.

18 DEVELOPMENT OF TECHNICAL USER'S GUIDES

18.1 General

- 18.1.1 This Section does not apply to the development of intent statements user's guides.
- 18.1.2 Technical user's guides provide information about application of *Codes* requirements including analyses, explanations and examples, but do not set requirements.
- 18.1.3 All *requested changes* to technical user's guides:
 - a) must be submitted to CC;
 - b) may be submitted at any time; and
 - c) may be submitted by any individual or group, including *Code* development system committees and their members, provinces, territories, AHJ, the Canadian Commission on Construction Materials Evaluation (CCCME) and NRC staff.
- 18.1.4 *Requested changes* to technical user's guides are directed to the relevant standing committee for consideration.

- 18.1.5 In considering a *requested change* and work required to update technical user's guides due to changes in related *Codes*, a standing committee takes one of the following actions:
- a) directs the request to the Executive Committee for advice, when it is possible to identify the *requested change* as described in Article 17.3.4;
 - b) undertakes development and may prepare a *proposed change*, if it decides that the request is within the scope of an approved task or that it can be addressed by a minor task (see Article 16.4.4);
 - c) prioritizes the request and incorporates the additional task into a proposed work plan (see Article 16.4.3) before beginning work, if it decides that the request will require approval of an additional task;
 - d) asks CC staff to seek more input from the proponent, if it decides that the submission is not sufficiently clear or justified;
 - e) recommends that additional research results are obtained before determining further action to be taken on the request; or
 - f) rejects the *requested change* and records their rationale.
- 18.1.6 To undertake development of *proposed changes* to technical user's guides, a standing committee may:
- a) form a working group to consider the *requested change* and make recommendations; or
 - b) ask for approval to establish a task group to consider the *requested change* and make recommendations.
- 18.1.7 *Proposed changes* to technical user's guides that have been recommended by standing committees and the Executive Committee are made available in English to the provinces and territories through each PTPACC member. Recipients have one (1) month to submit comments to the Executive Committee about the suitability of the *proposed changes*.
- 18.1.8 *Proposed changes* to technical user's guides are not subject to public review unless required by the CCBFC.
- 18.1.9 *Proposed changes* to technical user's guides and standing committees' recommendations for approval are submitted in English to the CCBFC.
- 18.1.10 Motions and voting or balloting of CCBFC members are required to approve *proposed changes* to, and publication of, technical user's guides.

19 REFERENCED DOCUMENTS

19.1 Standards

- 19.1.1 The *Codes* may make direct reference to a technical standard that is available to the public when it is:
- a) a National Standard of Canada;
 - b) a formal published standard prepared by a standards development organization accredited by the SCC; or
 - c) a formal published standard prepared by an internationally recognized standards development organization.
- 19.1.2 A referenced standard should be available in both official languages.
- 19.1.3 Proposals to reference new standards and new editions and updates to standards already referenced are subject to the development steps described in Section 17.
- 19.1.4 The CCBFC may authorize issuing approved *referenced document updates* before publication of the next *Code* editions. (See Article 17.10.4.)

- 19.1.5 Insofar as possible, Canadian standards are referenced. The CCBFC and its standing committees may reference non-Canadian standards when technically adequate Canadian standards are not available. (See Appendix H.)
- 19.1.6 Preliminary or draft standards are not referenced.
- 19.1.7 Proposals to reference new documents other than standards, when technically adequate standards are not available, are sent to the Executive Committee for direction before *proposed changes* are developed. Documents other than standards include guidelines, manuals, rules, procedures, protocols and Other Recognized Documents (ORDs).¹
- 19.1.8 Referenced documents, and any documents referenced within those documents, apply only to the extent that they relate to the objectives and functional statements attributed to the applicable acceptable solutions in the *Code* in which the reference is made.

¹ Certification bodies are permitted, under the procedures of the SCC, to create “Other Recognized Documents” (ORDs) for their work when no recognized standard exists. They do not have to go through the time-consuming process of becoming a full-fledged consensus-based standard. However, the rule for their development places a limited life span on their use. ORDs are used for certification purposes only and are, in effect, preliminary standards used as valuable enforcement tools.

APPENDIX A

Terms of Reference and Matrix for the Canadian Commission on Building and Fire Codes

Pursuant to the mission of the National Research Council of Canada (NRC) to undertake, assist, and promote scientific and industrial research in the national interest, and to the terms of the *National Research Council Act*, which mandates the NRC with the authority to promote standardization of benefits to Canada and Canadian industries, the NRC established the Canadian Commission on Building and Fire Codes (CCBFC) to provide direction and oversight to the development of the *National Model Construction Code Documents* in support of effective regulation and innovation in building construction in Canada.

The *National Model Construction Code Documents* are the National Building Code of Canada (NBC), the National Energy Code of Canada for Buildings (NECB), the National Fire Code of Canada (NFC), and the National Plumbing Code of Canada (NPC), along with other *Codes* and advisory documents developed and maintained when sufficient demand exists.

Through NRC Construction, the NRC provides technical, research and administrative support to the CCBFC and its committees, and to the *National Model Construction Code Documents* development system.

Mandate

The CCBFC is responsible for the development and content of the *National Model Construction Code Documents* through a transparent *National Model Construction Code Documents* development system that is based on broad consensus and that gives to those affected the opportunity to participate and have their views considered.

Recognizing the authority of provincial and territorial governments to establish their own laws and regulations, and working in partnership with regulatory authorities, *Code* users and the public, the CCBFC:

- promotes uniform adoption and understanding of the *National Model Construction Code Documents*;
- responds to the needs and priorities of the adopting authorities;
- facilitates the resolution of issues;
- responds to technological change and innovation;
- establishes and implements policies, procedures and priorities for the *National Model Construction Code Documents*;
- advises the NRC on the need for *Code*-related research; and
- acts as the focal point for issues related to the *National Model Construction Code Documents*.

Operation

The CCBFC normally meets at least once a year. The CCBFC conducts its business in both official languages, with simultaneous interpretation provided at meetings. CCBFC meetings are open to the public. The CCBFC may establish committees to assist in accomplishing its mandate. The CCBFC chair reports annually, or as requested, to the NRC through the Vice-President responsible for NRC Construction on operations of the CCBFC and the *National Model Construction Code Documents* development system. The CCBFC consults, through its deputy chair, with the NRC Construction General Manager on all matters affecting expenditures of funds and NRC Construction staff deployment, including establishment of committees and scheduling of meetings.

Members

The CCBFC comprises volunteer representatives from consumer and public interests as well as all sectors of the construction and regulatory communities who are selected as specified in the CCBFC Policies and Procedures according to an appropriately balanced matrix approved by the NRC (see below). Voting members, non-voting *key stakeholder* members, vice-chair and chair of the CCBFC are appointed by the NRC. Voting members are not permitted to name alternates to attend a meeting on their behalf. The following NRC Construction staff are appointed by the NRC Construction General Manager and are non-voting ex officio CCBFC members:

- a) the Deputy Chair, who is the Manager, Code Development System, NRC Construction;
- b) the NRC Construction policy advisor, who is the Director, NRC Construction Building Regulations;
and
- c) the Secretary, who is an NRC CC staff member.

Matrix for the Canadian Commission on Building and Fire Codes			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Building, energy and plumbing officials		5	Provincial, territorial, municipal or federal building, energy and plumbing regulatory authorities
Fire officials		3	Provincial, territorial fire marshals' or fire commissioners' membership, municipal fire services (fire chiefs or fire prevention officers), federal fire protection services
Subtotal		8	
Industry – voting			
Building contractors, suppliers and manufacturers		4	Construction managers, building contractors and subcontractors, developers or builders, manufacturers construction materials or systems suppliers
Designers and consultants		4	Architects, engineers in private practice, fire-protection consultants, interior designers
Subtotal		8	
General interest – voting			
Building/Facility owners, operators and managers		4	Building and facilities owners or managers, public institutions or private firms, provincial, territorial or federal housing ministries or agencies, companies or associations responsible for housing or home warranty programs, professional liability insurers
Insurance/Warranty			
Public interest/Others		4	Consumers' associations, general public, organizations representing persons with disabilities, public health, public safety
Subtotal		8	
Total voting	26	24	
<i>Key stakeholders</i>		6	Representatives CSCC, CWC, CAC, CPIA, NRCan, SCC*
Ex officio		4	PTPACC Chair (or designate), Deputy Chair**, Secretary, NRC Construction Policy Advisor***
Total non-voting		10	
Grand total		34	

* Chair of SDOAC.

** Manager, Code Development System, NRC Construction.

*** Director, NRC Construction Building Regulations.

APPENDIX B

Standing Committee Terms of Reference

Terms of Reference of the Standing Committee on Fire Protection (SC-FP)

The SC-FP prepares recommendations for requirements for building components and systems, including at construction and demolition sites, in the *National Model Construction Code Documents* relating to:

- structural fire protection;
- combustibility of building materials;
- fire spread within buildings, including smoke movement;
- fire spread to adjacent buildings;
- suppression of fires; and
- fire protection of fire alarm and detection systems.

The SC-FP is responsible for provisions located in the following documents:

- Part 3 and Appendices B and D of Division B of the National Building Code of Canada (NBC) Parts 2, 5, 6 and 7 of Division B of the National Fire Code of Canada (NFC); and
- Parts 2 and 3 of the National Farm Building Code of Canada (NFBC).

The SC-FP:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with the Standing Committee on Housing and Small Buildings (SC-HSB);
- advises the CCBFC regarding changes to the scope and application of the NBC, the NFC and the NFBC and to the SC-FP matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC, the NFC, and the NFBC and for progeny documents for subjects not within the current scope of the NBC, the NFC or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC, the NFC or the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC, the NFC and other documents as approved by the CCBFC can be considered.

The SC-FP provides advice to, and receives advice from, other committees.

The SC-FP may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Use and Egress (SC-UE)

The SC-UE prepares recommendations for requirements in the *National Model Construction Code Documents* relating to:

- safety of occupants during emergencies;
- safety of occupants during normal use (guards, stair design);
- accessibility for persons with physical disabilities;
- fire safety planning;
- safety on and around construction and demolition sites (related to movement of persons);
- firefighting access;
- health of occupants; and
- fire alarm and detection systems (related to notification of occupants).

The SC-UE is responsible for provisions located in the following documents:

- Parts 3 and 8 of Division B of the National Building code of Canada (NBC);
- Parts 2, 5 and 6 of Division B of the National Fire Code of Canada (NFC); and
- Part 3 of the National Farm Building Code of Canada (NFBC).

The SC-UE:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- advises the CCBFC regarding changes to the scope and application of the NBC, the NFC and the NFBC and to the SC-UE matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC, the NFC, and the NFBC and for progeny documents for subjects not within the current scope of the NBC, the NFC or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC, the NFC or the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC, the NFC and other documents as approved by the CCBFC can be considered.

The SC-UE provides advice to, and receives advice from, other committees.

The SC-UE may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Structural Design (SC-SD)

The SC-SD prepares recommendations for structural design requirements in the *National Model Construction Code Documents* relating to:

- structural loads and procedures;
- excavations and foundation design;
- design requirements for structural materials (wood, masonry, concrete, steel, aluminum, glass); and
- design requirements for special structures (air-supported structures, parking structures).

The SC-SD is responsible for provisions located in the following documents:

- Part 4 of Division B of the National Building Code of Canada (NBC);
- the User's Guide on Part 4 of the NBC (Structural Commentaries); and
- the National Farm Building Code of Canada (NFBC).

The SC-SD:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- advises the CCBFC regarding changes to the scope and application of the NBC and the NFBC and to the SC-SD matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC and the NFBC and for progeny documents for subjects not within the current scope of the NBC or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC or the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC and other documents as approved by the CCBFC can be considered.

The SC-SD provides advice to, and receives advice from, other committees.

The SC-SD may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Environmental Separation (SC-ES)

The SC-ES prepares recommendations for environmental separation requirements in the *National Model Construction Code Documents* relating to:

- heat transfer (except heat from fire);
- ingress of precipitation, surface water and water in the ground;
- diffusion of water vapour;
- transfer of air and other gases, airborne dust, spores and other particulates;
- air pressure loads including mechanical, stack effect and wind;
- transmission of sound; and
- structural loads on environmental separators and assemblies exposed to the exterior.

The SC-ES is responsible for provisions located in the following documents:

- Part 5 of Division B of the National Building Code of Canada (NBC); and
- the National Farm Building Code of Canada (NFBC).

The SC-ES:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- ensures requirements within its terms of reference are consistent with requirements in the National Energy Code of Canada for Buildings (NECB) through cross-committee coordination with the Standing Committee on Energy Efficiency in Buildings (SC-EEB);
- advises the CCBFC regarding changes to the scope and application of the NBC, the NFBC and the NECB and to the SC-ES matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC, the NFBC, and the NECB and for progeny documents for subjects not within the current scope of the NBC, the NFBC or the NECB;
- advises the CCBFC concerning the need for standards to be referenced by the NBC, the NFBC or the NECB and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC and other documents as approved by the CCBFC can be considered.

The SC-ES provides advice to, and receives advice from, other committees.

The SC-ES may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on HVAC and Plumbing (SC-HP)

The SC-HP prepares recommendations for requirements for building services in the *National Model Construction Code Documents* relating to:

- heating, ventilating and air-conditioning systems; and
- plumbing systems.

The SC-HP is responsible for provisions located in the following documents:

- Parts 6 and 7 of Division B of the National Building Code of Canada (NBC);
- the National Plumbing Code of Canada (NPC); and
- the National Farm Building Code of Canada (NFBC).

The SC-HP:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- ensures requirements within its terms of reference are consistent with requirements in the NECB through cross-committee coordination with SC-EEB;
- advises the CCBFC regarding changes to the scope and application of the NBC, the NPC, the NECB and the NFBC and to the SC-HP matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC, the NPC, the NECB and the NFBC and for progeny documents for subjects not within the current scope of the NBC, the NPC, the NECB or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC, the NPC, the NECB or the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC, the NPC and other documents as approved by the CCBFC can be considered.

The SC-HP provides advice to, and receives advice from, other committees.

The SC-HP may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Housing and Small Buildings (SC-HSB)

The SC-HSB prepares recommendations for requirements in Part 9 of Division B of the National Building Code of Canada (NBC).

The SC-HSB:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in NECB, NPC, NFC and other Parts of the NBC through cross-committee coordination with the responsible standing committee;
- advises the CCBFC regarding changes to the scope and application of the NBC and to the SC-HSB matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC and for progeny documents for subjects not within the current scope of the NBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC and other documents as approved by the CCBFC can be considered.

The SC-HSB frequently provides advice to, and receives advice from, other committees.

Due to the unique characteristics of the design and construction of some housing and small buildings, the SC-HSB may choose not to follow the advice of other standing committees. If such a choice results in the requirements in Part 9 of Division B of the NBC related to a given issue being different from those in other Parts of NBC Division B or the NPC, the SC-HSB must be prepared to justify this difference to the CCBFC. The unique characteristics of housing and small building design and construction that could justify such differences include:

- type of occupancy;
- high degree of homogeneity of construction practices throughout Canada;
- mostly time-proven construction practices (due to homogeneity and evolutionary development, the existing stock constitutes millions of “prototypes”);
- all buildings are low in height and small;
- high degree of structural redundancy;
- almost all occupants use the buildings daily and become familiar with their characteristics; and
- occupants are in a position to make their own decisions on the acceptability of some house features.

The SC-HSB may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee’s terms of reference.

A large number of SC-HSB tasks are accomplished collaboratively by two or more standing committees. This cross-committee coordination is necessary to ensure the consistency of Part 9 provisions with other parts of the NBC and other *Codes*.

Terms of Reference of the Standing Committee on Hazardous Materials and Activities (SC-HMA)

The SC-HMA prepares recommendations for requirements in the *National Model Construction Code Documents* for the prevention, mitigation and control of hazards in buildings and outside areas, including underground areas, where:

- activities posing a fire or explosion hazard are conducted; and
- combustible materials, dangerous goods, flammable liquids or combustible liquids are stored, used, handled or processed.

The SC-HMA is responsible for requirements located in the following documents and their appendices:

- Parts 2, 3, 4 and 5 of Division B of the National Fire Code of Canada (NFC);
- Parts 3 and 6 of Division B of the National Building Code of Canada (NBC); and
- Subsection 3.1.4. of the National Farm Building Code of Canada (NFBC).

The SC-HMA:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- advises the CCBFC regarding changes to the scope and application of the NFC, the NBC and the NFBC and to the SC-HMA matrix;
- advises the CCBFC concerning the need for documents ancillary to the NFC, the NBC and the NFBC and for progeny documents for subjects not within the current scope of the NFC, the NBC or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NFC, the NBC and the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC, the NFC and other documents as approved by the CCBFC can be considered.

The SC-HMA provides advice to, and receives advice from, other committees.

The SC-HMA may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Energy Efficiency in Buildings (SC-EEB)

The SC-EEB prepares recommendations for requirements for energy efficiency in the National Energy Code of Canada for Buildings (NECB) related to:

- building envelope;
- water heating;
- lighting;
- heating, ventilating and air-conditioning systems; and
- electrical power.

The SC-EEB is responsible for provisions located in the following documents:

- the National Energy Code of Canada for Buildings (NECB); and
- User's Guide on the NECB

The SC-EEB:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with the requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- ensures requirements within its terms of reference are consistent with the requirements in NBC Part 5 through cross-committee coordination with SC-ES;
- ensures requirements within its terms of reference are consistent with the requirements in NPC and Parts 6 and 7 of the NBC through cross-committee coordination with SC-HP;
- advises the CCBFC regarding changes to the scope and application of the NECB and to the SC-EEB matrix;
- advises the CCBFC concerning the need for documents ancillary to the NECB and for progeny documents for subjects not within the current scope of the NECB;
- advises the CCBFC concerning the need for standards to be referenced by the NECB and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit the scope and at least one of the objectives of the NECB and other documents as approved by the CCBFC can be considered.

The SC-EEB provides advice to, and receives advice from, other committees and coordinates its actions with those of the other committees.

The SC-EEB may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

Terms of Reference of the Standing Committee on Earthquake Design (SC-ED)

The SC-ED prepares recommendations for requirements in the *National Model Construction Code Documents* related to earthquake engineering. This includes coordinating the implications of those provisions with the earthquake requirements of standards development organization technical committees referenced in the National Building Code (NBC).

The SC-ED is responsible for provisions located in the following documents:

- Part 4 of Division B of the NBC;
- the User's Guide on Part 4 of the NBC (Structural Commentaries); and
- the National Farm Building Code of Canada (NFBC).

The SC-ED:

- prepares recommendations to the Canadian Commission on Building and Fire Codes (CCBFC) regarding the technical content of documents within its terms of reference;
- is responsible for developing objective-based versions of the requirements within its terms of reference;
- ensures requirements within its terms of reference are consistent with requirements in Part 9 of the NBC through cross-committee coordination with SC-HSB;
- advises the CCBFC regarding changes to the scope and application of the NBC and the NFBC and to the SC-ED matrix;
- advises the CCBFC concerning the need for documents ancillary to the NBC and the NFBC and for progeny documents for subjects not within the current scope of the NBC or the NFBC;
- advises the CCBFC concerning the need for standards to be referenced by the NBC or the NFBC and identifies needed changes to those standards; and
- advises the CCBFC on the need for *Code*-related research.

Only requirements that fit within the scope and at least one of the objectives of the NBC and other documents as approved by the CCBFC can be considered.

The SC-ED provides advice to, and receives advice from, other committees.

The SC-ED may establish task groups and working groups to assist it in maintaining the existing contents of the *Codes* as well as in developing new subject areas within the committee's terms of reference.

APPENDIX C

Standing Committee Matrices

Matrix for the Standing Committee on Fire Protection (SC-FP)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs in the fields of:			
- Fire prevention			Federal, provincial and territorial fire marshals' or fire commissioners' staffs, municipal fire services (fire chiefs or fire prevention officers)
- Building regulation			Federal, provincial, territorial and municipal authorities regulating buildings Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		6	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Construction			Construction managers, building contractors and developers involved in construction, repair and renovation
Subtotal		6	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Insurance			Insurers, insurance brokers
Subtotal		6	

Total voting	20	18	
<i>Key stakeholder</i>		3	CWC, CSCC, CAC
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Non-voting total		5	
Grand total		23	

Matrix for the Standing Committee on Use and Egress (SC-UE)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs in the fields of:			
- Fire prevention			Federal provincial and territorial fire marshals' or fire commissioners' staffs, municipal fire services (fire chiefs or fire prevention officers)
- Building regulation			Federal, provincial, territorial and municipal authorities regulating buildings, plumbing, health Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		6	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Construction			Construction managers, building contractors and developers involved in construction, repair and renovation
Subtotal		6	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Consumer interests			Individuals from consumers' associations, public interest groups, persons with disabilities
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Insurance			Insurers, insurance brokers
Subtotal		6	
Total voting	20	18	
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		2	
Grand total		20	

Matrix for the Standing Committee on Structural Design (SC-SD)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs			Federal, provincial, territorial and municipal authorities regulating buildings Accredited non-governmental agencies serving exclusively as inspectors on behalf of AHJs.
Subtotal		4	
Industry – voting			
Design, design review, construction review			Structural engineers involved in design, design and construction review, evaluation, renovation/repair (should include one specialist in foundations)
Material manufacturers, suppliers, specialists			Materials interests and materials experts
Construction			Construction managers, building contractors and developers involved in construction, repair and renovation
Subtotal		8	
General interest – voting			
Research and testing			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Subtotal		6	
Total voting	20	18	
<i>Key stakeholder</i>		4	CSA, CWC, CSCC, CAC
Ex officio		3	Chair or designate of the SC-ED, NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		7	
Grand total		25	

Matrix for the Standing Committee on Environmental Separation (SC-ES)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs			Federal, provincial, territorial and municipal authorities regulating buildings
			Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		4	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Construction			Construction managers, building contractors and developers involved in construction, repair and renovation
Subtotal		7	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Insurance			Insurers, insurance brokers and individuals from warranty programs
Subtotal		5	
Total voting	18	16	
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		2	
Grand total		18	

Matrix for the Standing Committee on HVAC and Plumbing (SC-HP)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs			Federal, provincial, territorial and municipal authorities regulating buildings, plumbing or health issues
			Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		5	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Construction			Individuals involved in the installation of heating, ventilating, air-conditioning and plumbing equipment and systems
Subtotal		8	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Teaching and training			Instructors, teachers, professors from trade schools, colleges, universities, continuing education programs
Subtotal		6	
Total voting	21	19	
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		2	
Grand total		21	

Matrix for the Standing Committee on Housing and Small Buildings (SC-HSB)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs in the fields of:			
- Fire prevention			Federal, provincial and territorial fire marshals' or fire commissioners' staffs, municipal fire services (fire chiefs or fire prevention officers)
- Building regulation			Federal, provincial, territorial and municipal authorities regulating buildings Private consultants serving exclusively as inspectors on behalf of AHJs
Subtotal		6	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers and materials experts
Construction			Representatives of on-site builders and factory-built housing manufacturers
Mechanical systems			Representatives of mechanical contractors or designers
Subtotal		7	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Consumer interests			Individuals from consumers' associations, public interest groups and persons with disabilities
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development (should include one structural wood specialist)
Insurance			Insurers, insurance brokers and individuals from warranty programs
Subtotal		7	
Total voting	25	20	
<i>Key stakeholder</i>		5	CHBA, NRCan, CAC, CWC, CSCC
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		7	
Grand total		27	

Matrix for the Standing Committee on Hazardous Materials and Activities (SC-HMA)

Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs in the fields of:			
- Fire prevention			Federal, provincial and territorial fire marshals' or fire commissioners' staffs, municipal fire services (fire chiefs or fire prevention officers)
- Industrial safety			Federal, provincial, territorial and municipal authorities regulating workers' health and safety
- Environmental protection			Federal, provincial, territorial and municipal authorities concerned with hazardous materials or environmental issues Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		6	
Industry – voting			
Design, design review, construction review			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Subtotal		6	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Insurance			Insurers, insurance brokers
Subtotal		6	
Total voting	20	18	
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		2	
Grand total		20	

Matrix for the Standing Committee on Energy Efficiency in Buildings (SC-EEB)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs			Federal, provincial, territorial and municipal authorities regulating buildings
			Private consultants serving exclusively as inspectors on behalf of AHJs.
Subtotal		5	
Industry – voting			
Design			Architects, engineers, technologists and specification writers involved in design, design and construction review, evaluation, renovation/repair
Material and component manufacturers, suppliers, specialists			Materials interests, equipment suppliers, materials experts, maintenance personnel
Construction			Construction managers, building contractors, developers involved in construction, repair and renovation
Subtotal		8	
General interest – voting			
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Research, testing and standards development			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification and standards development
Consumer interests			Individuals from consumers' associations, public interest groups
Energy utilities			Electricity, gas and oil utilities or associations
Governmental energy management			Federal, provincial or territorial departments dealing with energy
Subtotal		7	
Total voting	22	20	
<i>Key stakeholder</i>		1	Natural Resources Canada
Ex officio		2	NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		3	
Grand total		23	

Matrix for the Standing Committee on Earthquake Design (SC-ED)			
Interest to be reflected	Maximum number of members	Recommended minimum number of members	Suggested sources
Regulatory – voting			
Enforcement of regulations either directly or on behalf of AHJs			Federal, provincial, territorial and municipal authorities regulating buildings Accredited non-governmental agencies serving exclusively as inspectors on behalf of AHJs.
Subtotal		3	
Industry – voting			
Design, design review, construction review			Structural engineers involved in design, design and construction review, evaluation, renovation/repair (should include one specialist in foundations)
Material manufacturers, suppliers, specialists			Materials interests and materials experts
Construction			Construction managers, building contractors and developers involved in construction, repair and renovation
Subtotal		7	
General interest – voting			
Research and testing			Individuals from universities, laboratories, agencies, consultants and other organizations involved in research, testing, certification
Building and facility operation and management			Building and facility owners or managers, public institutions or private firms
Subtotal		7	
Total voting	19	17	
<i>Key stakeholder</i>		3	CAC, CWC CSCC
Ex officio		3	Chair or designate of the SC-SD, NRC Construction staff – technical advisor(s), research advisor(s), and secretary(ies)
Total non-voting		6	
Grand total		23	

APPENDIX D

NRC Construction Support

NRC Construction provides technical, research and administrative support for the Canadian Commission on Building and Fire Codes (CCBFC) and its related committee operations. The committees' work is supported by the latest technical information and expertise available within NRC Construction. Correspondingly, the committees refer many of the technical problems relating to *Code* requirements to NRC Construction for study and possible inclusion in its research programs. This two-way flow of information has proven mutually beneficial.

Administrative and technical support services for the *Code* development system committees are coordinated within NRC Construction by Codes Canada (CC). These services comprise:

- technical service that coordinates NRC Construction technical contributions to the committees and also undertakes studies relating to the special needs of the *Codes*;
- administrative service that provides the necessary administrative and secretarial support to the committees, including guidance in the application of these Policies and Procedures, and its procedural rules;
- orientation and training service that provides materials and presentations to new committees and members regarding their roles, the NRC, the CCBFC, the *National Model Construction Code Documents* development system, and the policies and procedures;
- editorial, translation and information technologies service that is responsible for the production and publication of the *Code* documents; and
- liaison with research programs of NRC Construction and other research establishments, provincial and territorial authorities, *Codes* and standards development organizations, and other pertinent bodies in Canada and abroad.

In fulfilling its committee support role, NRC Construction is responsible for:

- providing each committee with a secretary and technical advisor(s) from CC and, where appropriate, a research advisor from the specialist research programs within NRC Construction;
- in association with the committee chair arranging committee meetings, distributing meeting notices, establishing and distributing agenda and supporting materials, preparing records of meetings and decisions, and ensuring follow-up of actions arising from meetings;
- providing technical input to the committees through the preparation of short and concise statements containing an assessment of useful and relevant information on specific matters under study, which could be prepared in the form of committee review sheets or discussion papers and circulated prior to meetings so as to leave enough time for review;
- assisting each committee with the development of necessary amendments to the *Codes* by rendering committee decisions for new or revised requirements into appropriate form and language that will ensure uniformity of style, format and arrangement throughout all *Code* documents;
- preparing documentation on *proposed changes* to *Codes* requirements in a form suitable for public review;
- handling on behalf of the CCBFC all technical inquiries on the *Codes*, including requests for opinions and assistance to proponents of Code Change Requests;
- ensuring that the appropriate standing committees are notified of amended or updated standards referenced in the *Codes*; and
- bringing to the attention of the appropriate standing committees all matters which affect more than one committee.

Technical Advisors to CCBFC Standing Committees and Task Groups

Technical advisors are expected to function in a number of ways as resource persons to committees:

- as technical resource persons, they are expected to have knowledge of the technical material and background for the contents of the *Codes* for which they have a responsibility;

- as *Codes* resource persons, they are expected to know the process by which the *Codes* are maintained, to understand potential relationships with, and effects upon, the community and to know how to properly express the committee's intention in appropriate *Code* language;
- as experts in their field, they are expected to provide fact-based technical advice and formulate possible actions, as well as objectively analyze the merits of these actions, for the committee's consideration; and
- in their full role as committee advisors, they are expected to interact with the committee so that their expertise is available in a fashion that will facilitate the process of achieving a sound committee consensus decision.

When technical advisors have presented an objective assessment of an issue, together with pertinent technical documentation and resultant possible actions, it then becomes the task of the responsible committees to decide upon the action to take. In all cases, it is the committee that approves the ultimate decision.

APPENDIX E

Conflict of Interest Code for Members of NRC Advisory Bodies

1. The Conflict of Interest Code for members of NRC advisory bodies is based on the principles that underlie the Code for Public Office Holders. The Code is designed to protect members of NRC advisory bodies from the possibility or the appearance of conflict of interest in relation to their participation in advisory and advisory-related activities.
2. More specifically, the Code aims at enhancing public confidence in the integrity of members while encouraging experienced and competent persons to accept advisory roles and responsibilities:
 - by establishing clear rules of conduct respecting conflict of interest and respecting behaviour after serving on NRC advisory bodies; and
 - by minimizing the possibility of conflicts arising between the private interest and public duties of NRC advisory bodies members, and providing for the resolution of such conflicts in the public interest should they arise.

General Principles

3. In carrying out their duties, members of NRC advisory bodies shall:
 - perform their official duties and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity and impartiality of the NRC and the government are conserved and enhanced;
 - act in a manner that will bear the closest public scrutiny, an obligation that is not fully discharged by simply acting within the law;
 - act honestly and in good faith with a view to the best interest of the NRC;
 - exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances;
 - not give preferential treatment to anyone in any official manner related to NRC matters;
 - not solicit gifts, hospitality, or other benefits from persons, groups or organizations having, or likely to have, dealings with the NRC or the government;
 - not accept transfers of economic benefit, other than incidental gifts, customary hospitality, or other benefits of nominal value, unless the transfer is pursuant to an enforceable contract or property right of the member;
 - not step out of their official roles to assist private entities or persons in their dealings with the government where this would result in preferential treatment to any person or group;
 - not knowingly take advantage of, or benefit from, information that is obtained in the course of their official duties and responsibilities and that is not generally available to the public; and
 - not act, after their term of office on an NRC advisory board has expired, in such a manner as to take improper advantage of their previous office.

Avoidance of Preferential Treatment

4. To avoid the possibility or appearance that members of NRC advisory bodies might receive preferential treatment, Programs shall not contract with or award contributions directly to members of their advisory bodies except in instances where they offer a unique good, service or expertise and where it is approved by the President of the NRC.

Members of NRC advisory bodies shall not, in relation to the Program for which they provide advice:

- seek preferential treatment for themselves or third parties and go outside normal channels in hiring, contracts, grants or contributions; and
- act as paid intermediaries for third parties in their normal transactions with the NRC.

Duty to Comply

5. Willingness to comply with the measures detailed in this Code is a condition of serving on NRC's advisory bodies.
6. Conforming to this Code does not absolve members of the responsibility to take such additional action as may be necessary to avoid real, potential or apparent conflicts of interest.
7. Provisions of this Code do not apply to the immediate family of a member of an NRC advisory body (i.e., those living with the member or those considered to be dependents of the member). Members are responsible, however, for ensuring that no conflict of interest arises between their advisory duties and the activities and financial interests of their immediate family.

Role of the NRC Secretary General

8. The Secretary General of NRC is responsible for the application of the Code to members of NRC advisory bodies and will assist them in interpreting the Code as necessary.
9. Members of NRC advisory bodies shall disclose to the Secretary General activities which might call into question their ability to discharge their advisory duties and responsibilities objectively. They should also disclose to the Secretary General any financial interests (including assets and liabilities) that could be affected, or could appear to be affected, by their activities on an NRC advisory body.
10. New members of NRC advisory bodies shall provide the Secretary General with a written briefing on real, potential or apparent conflicts of interest which they perceive, before or upon appointment. The briefing shall cover the following: participation in any activity; possession of an asset or liability; or receipt of a gift, hospitality or other benefit that could, in their estimation, be considered a possible conflict of interest with their official duties and responsibilities.
11. Members shall also provide the Secretary General with a written briefing on any change in their activities, financial interests or advisory-related duties, or upon receiving gifts, hospitality or other benefits that could, in their estimation, be considered a possible conflict of interest with their official duties and responsibilities.
12. Upon receipt of written notification from a member, the Secretary General will determine whether a real, potential or apparent conflict of interest exists. The Secretary General will also determine any compliance measures, if necessary.
13. The NRC Secretary General is responsible for ensuring that information provided by advisory body members about their activities or financial interests is held in strict confidence. Any document provided by members will be kept in secure files at the NRC Record Services in Building M-58, Montreal Road, Ottawa, Ontario. Only the Secretary General or the Secretary General's designate will have access to them.

Review

14. Advisory body members shall review their obligations as necessary, and at least yearly, to reflect any change in their activities, financial interests, or advisory duties and responsibilities which may give rise to a conflict of interest situation, in their view.

Assistance to the NRC Secretary General

15. In order to provide advice to a member of an advisory body on conflict of interest issues, the Secretary General may seek advice from Council, a Minister of the Crown, the government's Ethics Counselor, Treasury Board or the Privy Council Office, as necessary.

For Additional Information

For specific advice, please contact the NRC Secretary General or send a sealed letter marked "To be opened by the Secretary General only". This letter should be placed in a second envelope which has no indication its content is of a confidential nature. The envelope should be mailed to the following address:

Secretary General
National Research Council
Building M-58, 1200 Montreal Road
Ottawa, Ontario K1A 0R6

APPENDIX F

Guidelines for Requesting Changes

(available in hard copy and online at <http://www.nationalcodes.nrc.gc.ca/>)

Suggestions for changes to the *National Model Construction Code Documents* are welcome from anyone at any time. However, anyone thinking of submitting a Code Change Request should bear the following points in mind.

Consideration by Code Committees

To bring about a change in one of the *National Model Construction Code Documents*, you must provide sufficient information to allow the Canadian Commission on Building and Fire Codes (CCBFC) and its standing committees (*Code committees*) to determine that your suggested change is needed and that it is technically correct. These *Code committees* are made up of volunteers chosen for their expertise to represent all facets of the construction industry from all regions of Canada.

Clarity

The *Code committees* expect proponents to make very clear what specific change they would like to see. Code Change Requests should identify the shortcomings of the existing *National Model Construction Code Document*, and existing *Code* provisions that would be affected by the change. New wording should be suggested to address these shortcomings. It is recognized that not all those interested in improving the *Codes* can be experts in *Code* writing, and NRC Construction Codes Canada staff will suggest improvements to the proposed wording, if necessary. Nevertheless, if specific wording is used, it will help to make the proponent's intentions clear. Code Change Requests that lack clarity may be returned to the proponents for clarification, thus prolonging the time required for the *Code committees* to deal with the requests.

Focus on Generic/Widespread Issues

The *National Model Construction Code Documents* are not intended to deal with specific products or with situations that arise only rarely. Code Change Requests should therefore address generic or widespread issues. Innovative products that are not yet covered by standards or mentioned in the *Codes* are not necessarily excluded from use; they can be accepted by local authorities based on the compliance provisions in the *Codes* regarding alternative solutions (equivalents). Services, such as the NRC Canadian Construction Materials Centre (CCMC), are available to assist authorities in evaluating such innovative products. Similarly, unique situations are best dealt with by local authorities rather than swelling the *Codes* with requirements that are seldom applied.

Focus on Technical Issues

With few exceptions, the *National Model Construction Code Documents* are strictly technical in nature and do not deal with administrative issues, such as what professional qualifications are required to perform certain functions or whether certification by a particular agency of products' compliance with standards is necessary. The provincial and territorial agencies, which adopt the *National Model Construction Code Documents*, have instructed the CCBFC to avoid addressing administrative issues in the *Codes* because to do so could create conflicts with related provincial and territorial legislation and regulations. As a result, most administrative provisions in the National Building Code (NBC), National Fire Code (NFC), National Energy Code for Buildings (NECB) and National Plumbing Code (NPC) have been grouped in Division C of these documents. Code Change Requests should therefore address technical issues, which in the NBC, NFC, NECB and NPC are typically covered in Division B of these documents.

Objectives and Functional Statements

The NBC, NFC, NECB and NPC are objective-based *Codes*. This means that the objectives and functional statements each *Code* provision attempts to address are clearly stated. It follows that an objective-based *Code* will only contain provisions that are related to achieving at least one of its stated objectives and functional statements.

The objectives and functional statements of the NBC, NFC, NECB and NPC have been determined by the CCBFC, in consultation with the provinces and territories. The objectives and functional statements are listed in Parts 2 and 3 of Division A of each *Code*. Persons submitting a Code Change Request to the NBC, NFC, NECB or NPC should ensure that the *requested change* is linked to at least one of the *Code's* stated objectives and functional statements.

Adding a provision that cannot be linked to one of the currently stated objectives or functional statements would require adding at least one new objective or functional statement. Although this is not out of the question, the CCBFC would consider such an expansion of the scope of the *Code* in question only after consultation with the provinces and territories.

Supporting Documentation

Code Change Requests should be accompanied by enough documentation to make the case that a change is needed, and that the *requested change* is the right change. This documentation can include research and testing results, statistics, case studies and so forth.

Impact Analysis

One aspect to include in the documentation supporting your Code Change Request is information on the benefits likely to be achieved and the costs of implementing it.

Proponents of Code Change Requests should also bear in mind the availability of suitable means to verify compliance. This problem can arise when *requested changes* are written such that there are no existing tools or models that can be used to evaluate whether or not a design or construction actually conforms to the provision. A related issue is the implications of Code Change Requests for the existing building, fire or plumbing *Code* enforcement infrastructure. Therefore, a Code Change Request should include information on conformity verification and enforcement implications, including available resources.

Where the *requested change* has major cost or enforcement implications, the *Code* committees may ask that a detailed impact analysis be provided.

Timing

Although suggestions for changes to the *National Model Construction Code Documents* are welcome from anyone at any time, the *Codes* are revised and published according to a schedule and there may be a delay between the submission of a Code Change Request and its publication in the relevant *Code*, even if the request has clear sailing through the *Code* committee and public review processes.

Persons with an active interest in the contents of the *National Model Construction Code Documents* should maintain an awareness of the various *Code* cycle stages. (Updated information on the National Model Code development process is available on the Web at www.nationalcodes.nrc.gc.ca).

Summary

Code Change Requests should provide sufficient information to *Code* committees to demonstrate that there is a problem with certain existing requirements or an omission in those requirements, that a change is needed, and that the *requested change* is the right change.

Each request should answer the following questions:

- What is the problem?
- What is the proposed solution and how does it address the problem?
- Which of the stated objectives and functional statements of the *Code* will the proposed solution assist in achieving?
- What are the cost/benefit implications?
- What are the enforcement implications?

Requests should be clearly stated and should address generic or widespread technical issues and avoid administrative issues.

The CCBFC has instructed CC staff to return requests that do not satisfy these criteria to their proponents. CC staff are available to help proponents prepare suitable submissions, but the responsibility is on the proponent to satisfy these criteria.

Code Change Request Form

The form available on the national *Codes* Web site (www.nationalcodes.nrc.gc.ca) should be used to submit *requested changes*, although its use is not mandatory provided the criteria stated above are satisfied. Where the form does not provide sufficient space for the information you wish to include, you may attach additional pages as necessary.

Privacy Notice and Consent

In order to submit a request for a *Code* change to the National Model *Code* Documents, the NRC requires personal information such as your name, affiliation and contact information. The information submitted as part of the Code Change Request, together with your personal information, is also included in the appendices of meeting minutes for completeness of records regarding proposed *Code* changes. The meeting minutes are available to the public upon request, except as required by confidentiality requirements.

Specifically, this information is collected as it may be necessary to contact you in the event that your Code Change Request is incomplete or missing essential information, or if clarification is needed. Furthermore, the purpose of the collection is to ensure that the *Code* development work is unbiased, based on consensus, and that the source of the request is clearly identified. This information is also needed for the *Code* change process to enable members of the CCBFC and the PTPACC to track, review and analyze the content of the request.

The collection and use of personal information is in accordance with the *Federal Privacy Act*. The *Privacy Act* states that you have the right to access your personal information. Contact Codes Canada to report inaccurate information or to withdraw your request after submission.

If you require clarification about this Notice, contact the NRC Access to Information and Privacy Coordinator at 613-990-6111. For more information on privacy issues and the *Privacy Act* in general, contact the Office of the Privacy Commissioner of Canada at 1-800-282-1376.

APPENDIX G

Guidelines Regarding Impact Analysis of Requested Changes

This guideline is under development.

APPENDIX H

Guidelines Regarding Consideration of Proposals to Reference Non-Canadian Standards

Non-Canadian standards are any standard developed outside Canada. These may or may not be produced using the broad consensus principle that is required for standards produced under Canada's National Standards System (NSS) governed by the Standards Council of Canada (SCC).

The International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) are examples of non-Canadian organizations that have extensive and comprehensive policies, procedures and methods for standards development, including provision for broad consensus. Many ISO and IEC standards are internationally accepted. Canada is represented on both bodies by the SCC, which coordinates Canadian participation.

From SCC's CAN-P-2F (2006) and CAN-P-1E (2006), the "consensus process" required for standards produced under Canada's NSS is based on the definition of "consensus" in ISO/IEC item 1.7 of Guide 2:1991:

Consensus: General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments.

Note: Consensus need not imply unanimity.

A critical issue is that many non-Canadian standards are not developed using this consensus process. The credibility of a standard or product demands adherence to this principle. The whole philosophy of Canadian Codes and standards development is based on this consensus principle. It is vital that this philosophy not be compromised in the rush to harmonize or adopt the standards of other countries.

Where non-Canadian standards are proposed for referencing, issues to be taken into consideration should include:

- Is the standard consensus-based?
- Is there a sufficient Canadian presence?
- Will WTO/technical barriers to trade requirements, NAFTA or other agreements be violated if the standard is rejected or accepted?
- Is the standard technically correct for Canadian conditions and up-to-date?

If the process of development is not consensus-based and/or if the acceptability of the document is otherwise in doubt, the Canadian Commission on Building and Fire Codes should ask that a Canadian consensus committee evaluate the document according to the Canadian situation. A standard development organization accredited by the SCC could be the vehicle for this procedure.

If the standard is ruled not acceptable, it could be referenced conditionally or rejected, and some effort could be made to influence the implementation of appropriate revisions in the country of origin. It is recognized that this activity would require additional resources. The proponent - usually an industry group - would be an appropriate source.

APPENDIX I

Member Confidentiality Agreements

Confidentiality Agreement for Members of the CCBFC

As a member of the Canadian Commission on Building and Fire Codes (CCBFC), you will receive information regarding individuals wishing to volunteer their time on the CCBFC and its committees ("Potential Volunteers"). This information will include personal information about the Potential Volunteers. All information regarding Potential Volunteers you receive through your participation in the CCBFC is hereafter referred to as the "Confidential Information".

In participating in the CCBFC, you agree to the following terms and conditions:

1. You will use the Confidential Information only for the purposes of the CCBFC and for no other purpose whatsoever.
2. You will forever keep confidential all Confidential Information that you receive through your involvement in the CCBFC.
3. Unless otherwise instructed by the NRC, you must return or destroy all copies of Confidential Information.

Confidentiality Agreement for Members of the CCBFC Selection Committee

As a member of the Canadian Commission on Building and Fire Codes ("CCBFC") Selection Committee, you will receive information regarding individuals wishing to volunteer their time on the CCBFC and its committees (Potential Volunteers). This information will include personal information about the Potential Volunteers. All information regarding Potential Volunteers you receive through your participation in the CCBFC Selection Committee is hereafter referred to as the "Confidential Information".

In participating in the CCBFC Selection Committee, you agree to the following terms and conditions:

1. You will use the Confidential Information only for the purposes of the CCBFC Selection Committee and for no other purpose whatsoever.
2. You will forever keep confidential all Confidential Information that you receive through your involvement in the CCBFC Selection Committee.
3. Unless otherwise instructed by the NRC, you must return or destroy all copies of Confidential Information.

Confidentiality Agreement for Members of the Standing Committee Nomination Committee

As a member of the Standing Committee Nomination Committee, you will receive information regarding individuals wishing to volunteer their time on the Canadian Commission on Building and Fire Codes standing committees ("Potential Volunteers"). This information will include personal information about the Potential Volunteers. All information regarding Potential Volunteers you receive through your participation in the Standing Committee Nomination Committee is hereafter referred to as the "Confidential Information".

In participating in the Standing Committee Nomination Committee, you agree to the following terms and conditions:

1. You will use the Confidential Information only for the purposes of the Standing Committee Nomination Committee and for no other purpose whatsoever.
2. You will forever keep confidential all Confidential Information that you receive through your involvement in the Standing Committee Nomination Committee.

3. Unless otherwise instructed by the NRC, you must return or destroy all copies of Confidential Information.

Confidentiality Agreement for the Chair of the Technical Translation Verification Committee

As a chair of the Technical Translation Verification (TTV) Committee, you will receive information regarding individuals wishing to volunteer their time on the Canadian Commission on Building and Fire Codes TTV Committee (Potential Volunteers). This information will include personal information about the Potential Volunteers. All information regarding Potential Volunteers you receive through your involvement in the selection of TTV Committee members is hereafter referred to as the "Confidential Information".

In participating in the selection of TTV Committee members, you agree to the following terms and conditions:

1. You will use the Confidential Information only for the purposes of the selection of TTV Committee members and for no other purpose whatsoever.
2. You will forever keep confidential all Confidential Information that you receive through your involvement in the selection of TTV Committee members.
3. Unless otherwise instructed by the NRC, you must return or destroy all copies of Confidential Information.

APPENDIX J

Code Writing Guidelines

This guideline is under development.

APPENDIX K

Appeals

Principles

When an appeal hearing is held by an *appeal committee* pursuant to Section 17.11 of the CCBFC Policies and Procedures, the *appeal committee* and the hearing are bound by the principles of procedural fairness and natural justice. Although a hearing is less formal than a court of law, it must provide the opportunity for parties to be heard and present evidence so that the *appeal committee* may fully understand the matter, cause and appropriate remedy.

Matters considered by the *appeal committee* must pertain to the issue at hand. The decision of the *appeal committee* must be accompanied by reasons for the decision.

Review by the *appeal committee* shall be limited to matters of process and procedure. The *appeal committee* shall not render decisions on the relative merits of the technical matters included in the subject of the appeal.

Hearing Procedure

1. Hearings are conducted in person, by teleconference, by video conference or by some combination thereof, and may be subject to conditions determined by the *appeal committee*.
2. Hearings are open to the public, unless otherwise determined based on reasonable grounds by the *appeal committee*. The public may observe but may not participate in the hearings.
3. Interested parties may apply for pre-approval by the *appeal committee* to present information during the hearing.
4. Formal rules of procedure shall not apply, and evidence is not limited by technical or legal rules. An *appeal committee* may determine what evidence is required and what is relevant. In all cases, information shall be supported by reasons and/or data. All evidence considered by the *appeal committee* must be presented during a hearing and made available to all parties to the hearing.
5. Hearings are conducted in English.
6. Use of audio or visual recording equipment during hearings is not permitted.
7. Appellants and interested parties are strongly encouraged to represent themselves. However, should they believe it necessary, they may be represented by an advocate or agent at their own expense.
8. The order of presentations and comments during the hearing is as follows:
 - a. the appellant and supporting parties,
 - b. the representative of the committee or group whose procedures are being appealed and supporting parties.

Members of the *appeal committee* may ask questions to any of the parties at any time.

9. After all presentations have been heard, each party is offered an opportunity for further presentations and comments, including opportunities to address others' comments, in the same order as presentations and comments were made.
10. A record of the hearing, including the appeal request, all notices, any order or other written decisions made in the course of proceedings, documentary evidence referred to in the decision, and the *appeal committee's* report shall be prepared and retained by the Secretary of the CCBFC.

APPENDIX L

Protocol for Addressing a Change to Objectives in the National Model Codes

The consideration of a request to add, modify or delete an objective in the National Model Codes must be conducted in a disciplined manner, proceeding from a broad overview of the request and examination of the public policy concerns underlying the proposal to an examination of the options for action. The Executive Committee of the Canadian Commission on Building and Fire Codes (CCBFC) will conduct this consideration in accordance with the present protocol.

If it is decided that the request has merit from a regulatory perspective, a work plan is developed that includes allotment for work on the possible addition of new functional statements or the modification or deletion of related functional statements, as applicable. The CCBFC Standing Committees are permitted to start developing new *Code* requirements, or reviewing existing ones, while the *Code* change request on the related objective moves forward.

The steps outlined below should be completed in a timely manner, but need not be completed sequentially.

Step 1: Receipt of Request to Change a Code Objective

- 1.1 A request to add, modify or delete an objective can be submitted by any person or organization, but must be accompanied by a rationale for action.
- 1.2 Receipt of the request will be acknowledged and the present protocol will be explained to the requester.

Step 2: Initial Consideration of Request by the CCBFC Executive Committee

- 2.1A In the case of a request to DELETE an objective, the Executive Committee will first determine if the objective in question is attributed to any *Code* requirements. If it is not, the Executive Committee will recommend its deletion and advise the Provincial Territorial Policy Advisory Committee on Codes (PTPACC).
- 2.1B If the objective in question is still linked to one or more requirements, or if the request is to ADD a new objective or MODIFY an existing objective, the Executive Committee will:
 - 2.1.1 obtain preliminary comments from PTPACC;
 - 2.1.2 seek comments from other appropriate regulatory agencies and *key stakeholders*; and
 - 2.1.3 determine if the request addresses a matter that is within the mandate of the National Model Codes.
- 2.2 The Executive Committee will decide whether or not to move forward with the request and will:
 - 2.2.1 seek the CCBFC's approval to add this task to the Executive Committee's work plan and proceed with more detailed work on the request; or
 - 2.2.2 apprise the CCBFC of the request and recommend that it not proceed any further.
- 2.3 The CCBFC will inform stakeholders of the request and its decision to:
 - 2.3.1 pursue the request and invite stakeholders to participate in the analysis of the request; or
 - 2.3.2 not pursue the request, together with the reason(s) why.

Step 3: Analysis of Request by the CCBFC Executive Committee with Input from PTPACC, Regulatory Agencies and Key Stakeholders

- 3.1A In the case of a request to ADD an objective, the Executive Committee will develop policy goals and measurable outcomes, such as societal benefit, uniformity of approach, leadership, etc.
- 3.1B In the case of a request to MODIFY or DELETE an objective, the Executive Committee will identify and consider existing applicable policy goals.
- 3.2 The Executive Committee will identify and examine the instruments or mix of instruments available or currently used to promote or enforce the intent of the requested objective to determine if a building regulatory response is appropriate or, in the case referred to in Article 3.1B, is still appropriate.
- 3.3 The Executive Committee will develop options for action demonstrating how each option addresses the policy goals or, in the case referred to in Article 3.1B, review how the modification of the objective is aligned with policy goals.
- 3.4 The Executive Committee will conduct an impact analysis of each option developed in Step III-3. or in the case referred to in Article 3.1B., conduct an impact analysis of the modification of the objective, by:
 - 3.4.1 examining legal and enforcement implications; and
 - 3.4.2 assessing the resulting effectiveness and efficiency.
- 3.5 The Executive Committee will decide whether or not to recommend moving forward with the request, and:
 - 3.5.1 it will seek the CCBFC's approval to form a Joint CCBFC/PTPACC Task Group (JTG) to address the work elements captured in Step 4 below; or
 - 3.5.2 it will advise the CCBFC of its recommendation not to pursue the request.
- 3.6 The CCBFC will inform stakeholders of its decision:
 - 3.6.1 to approve the formation of a JTG to develop objectives and, if necessary, functional statements; or
 - 3.6.2 not to pursue the request, together with the reason(s) why.

Step 4: Establishment of Scope of Code Development Work by a JTG

- 4.1 The JTG will review existing provincial requirements.
- 4.2 The JTG will develop a project plan with timelines.
- 4.3A In the case of a request to ADD an objective, the JTG will establish the scope of work for the technical development of the objective, which includes:
 - 4.3A.1 drafting the objective and, if necessary, related functional statements;
 - 4.3A.2 deciding whether the objective addresses design (e.g., NBC, NPC), operation (e.g., NFC), or both issues;
 - 4.3A.3 determining which *Code(s)* the objective applies to; and
 - 4.3A.4 determining the application of the objective, for example
 - i. all buildings versus some buildings versus parts of buildings;
 - ii. all uses versus some uses.
- 4.3B In the case of a request to MODIFY an objective, the JTG will determine the impact of the modification on the following:
 - 4.3B.1 existing objectives and functional statements;
 - 4.3B.2 the *Code(s)* to which the objective applies; and

- 4.3B.3 the application of the objective, for example:
 - i. all buildings versus some buildings versus parts of buildings;
 - ii. all uses versus some uses.
- 4.4 The JTG will report their recommendations to the CCBFC and PTPACC to move forward or not with the request.
- 4.5 The CCBFC will inform stakeholders of their decision to move forward or not with the request.
- 4.6 If the CCBFC decision is to go forward, the CCBFC will approve the scope of work and the request will proceed in accordance with Section 17 of the 2016 CCBFC Policies and Procedures.

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