



Canada

Indicators of Regulatory Policy and Governance 2021





Overview and recent developments

Canada has updated their previous *Cabinet Directive on Regulatory Management* with the *Cabinet Directive on Regulation (CDR)* in 2018. It mandates government departments and agencies to conduct *ex post* evaluation on all subordinate regulations and provides guidance and trainings to policy makers on how to carry them out. In 2018, Canada also introduced Targeted Regulatory Reviews (TRRs) as part of their regulatory framework. These reviews support the government's broader agenda towards regulatory modernisation, and address regulatory requirements and practices that seem to cause bottlenecks to innovation, growth and competitiveness. In 2019, the first round of TRRs were completed and led to nearly 70 proposals for regulatory and legislative amendments, improvements to regulatory practices, and novel regulatory approaches.

RIAs continue to be mandatory and publicly available via a central registry along with their draft legal text for subordinate regulations only. The CDR reinforced requirements for the analysis of environmental and gender-based impacts and enshrines regulatory co-operation and consultation throughout the regulatory cycle. Canada conducts open consultation by a variety of mechanisms, including over

online government portals for draft subordinate regulations. The public can submit comments on consultations on the central government portal or directly to regulators themselves. Generally, once the consultation process is over, a summary of received comments is made publicly available in the final version of the RIA.

The Treasury Board of Canada Secretariat (TBS) oversees subordinate regulations, and provides a review and challenge function to ensure quality RIA, consultation, and regulatory co-operation. It supports the Treasury Board, a Cabinet committee that considers and approves regulations. A Centre for Regulatory Innovation has also been established at TBS to help businesses work with regulators to facilitate regulatory experiments and test emerging technologies. It aims to encourage innovation while safeguarding consumer trust and confidence. For primary laws, the Privy Council Office supports Cabinet in its assessment and approval of legislative proposals destined for parliamentary consideration. Canada could enhance existing oversight by regularly evaluating the quality of consultations and of *ex post* evaluations. The results of these evaluation could be made publicly available along with suggestions for improvement.

Indicators of Regulatory Policy and Governance (iREG): Canada, 2021

● Methodology
 ● Systematic adoption
 ● Transparency
 ● Oversight and quality control
 ■ Country total, 2018
 — OECD average, 2021



Notes: The more regulatory practices as advocated in the [OECD Recommendation on Regulatory Policy and Governance](#) a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (72% of all primary laws in Canada).

Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/ireg>.

Canada: Transparency throughout the policy cycle



Inform the public in advance that:

A public consultation is planned to take place	All
Regulatory impact assessment (RIA) is due to take place	Yes
Ex post evaluations are planned to take place	All



Consult with stakeholders on:

Draft regulations	Some
Evaluations of existing regulations	All



Publish online:

Ongoing consultations*	All
Views of participants in the consultation process	Yes
RIAs	Never
Evaluations of existing regulations	Yes



Policy makers use:

Interactive website(s) to consult with stakeholders	Yes
Website(s) for the public to make recommendations on existing regulations	Yes



Policy makers provide a public response to:

Consultation comments	No
Recommendations made in ex post evaluations	Always

* Publish on a single central government website.

Note: The data reflects Canada's practices regarding primary laws initiated by the executive.

Source: Indicators of Regulatory Policy and Governance Survey 2021, <http://oe.cd/ireg>.

