

Grading Regulatory Accountability in Canada

CFIB's third annual Red Tape Report Card, we assign letter grades by evaluating the progress made-to-date by governments in Canada on the following measures:

Have they measured the regulatory burden?

Any government serious about effective regulatory reform must give the public a way to evaluate its regulatory activity. Internal guidelines and checklists, a feature of many reform initiatives, are not enough. Those proposing regulations should not be left to police themselves. The province of British Columbia is a pioneer in this field having measured and reported on the total number of regulatory requirements imposed on businesses in 2001.

Have they implemented an on-going measurement?

Having set the benchmark—the initial count—are they providing an on-going measurement of the progress they are making to reduce the regulatory burden on individuals and businesses.

Have they legislated the measurement?

Legislating the requirement to report regulatory measures would make it harder for governments to abandon public accountability.

Balanced-budget laws are a good template for this sort of “legislated” accountability.

Have they imposed constraints on regulators?

Businesses and individuals have limited time and money to cope with regulation. If regulators want their rules followed, they must recognize these limits and impose some restraint on their own regulating. Suggested initiatives include a requirement on the part of government to reduce a regulatory requirement for every new requirement introduced (cap and trade) and introduce criteria to justify the need for new and existing regulations.

Have they made regulatory accountability a political priority?

Effective and sustained regulatory reform must be driven from the top. This has rarely been the case. No Premier or Prime Minister has appointed a cabinet-level official responsible for regulatory oversight. Contrast this with the higher level of profile and accountability with respect to fiscal matters. It would be unthinkable for a provincial or federal government not to have a Minister of Finance or Treasurer to oversee and report on spending and taxation decisions.



Jurisdiction	Publicly Reported Measure	On-going Measurement	Political Leadership	Constraints on Regulators	Legislated requirement to report	2011 Grade	2012 Grade
Federal Government	No. Measure last reported in 2007; no measurement since then.	No	Yes. Red Tape Reduction Commission announced by the Prime Minister in 2011 has been very active and supported by the Prime Minister.	No. The government has yet to follow through on an election promise to commit to eliminate one regulation for every new regulation introduced.	No	C+	B-
British Columbia	Yes. Measure reported and published since 2001.	Yes	Yes. Province has reduced regulations within BC by 42% since 2001.	Yes. Government has committed to zero net growth through 2015 (longest running regulatory reform exercise in Canada).	Yes. Legislation requiring annual reporting passed in Nov. 2011 (First in Canada).	B+	A
Newfoundland & Labrador	Yes. Measure reported since 2006.	Yes	Yes. Led by Cabinet.	Yes. The government exceeded its 25% reduction target in 2009 (27%); also committed to zero net growth going forward.	No	B	B
Quebec	Yes. Measures publicly reported in 2005, 2008 and 2009.	Yes. The government formed a Red Tape Committee in 2011; its first report (with measures) is due in 2012.	Yes. Led by the ministère du Conseil exécutif, through the Ministerial Committee on Economic Prosperity & Sustainable Development; Red Tape Reduction Committee has also been created.	No. However, new Committee will identify ways to reduce red tape. Red tape reduction is also part of government's first Entrepreneurial Strategy.	No	C+	B-
Saskatchewan	No. The government has committed to legislate public reporting in 2012.	No. The government has committed to legislate measurement in 2012.	Yes. Led by the Premier and Enterprise Saskatchewan.	No. However, the government has committed to set targets for red tape reduction.	No. Government has committed to legislate public reporting.	C+	B-
Ontario	Yes. Measure reported in 2011.	No	Some. Premier promised to convene a forum to identify and tackle top regulatory challenges for small businesses and reduce the burden by 25% by 2011.	Yes. For every new regulation imposed on businesses two must be eliminated. Proposed regulations must also be posted for public comment, while new ones can only be implemented twice a year.	No	C-	B-
New Brunswick	No. The Province initiated a benchmarking exercise in 2011 and plans to publicly report this number.	No. The Province has committed to monitor and measure its regulatory activity on a continual basis once a benchmark has been established.	Yes. Led by the Premier.	No. The government committed to reduce the regulatory burden by 20% and establish a '1 in, 1 out' rule in the 2011 Speech from the Throne.	No	C-	C+
Nova Scotia	No. Measure first reported in 2007 (615,000 hours); no measure reported since meeting 2010 reduction target.	No	Some. Responsibility resides with Service Nova Scotia and Municipal Relations; the government also committed to accelerate and expand the Better Regulation Initiative as part of its jobsHere strategy.	No. No new targets have been announced since government met its commitment to reduce the paperwork burden by 20% by 2010. Government introduced several new onerous regulations in 2011.	No	B	D
Alberta	No	No. The government says it tracks and monitors the regulatory burden, but it does not publicly report the measure.	Some. Regulatory Review Secretariat moved to Premier's Office; Premier announced a new task force to reduce red tape in December 2011.	No	No	F	D
Yukon	No	No	Some. Government has announced regulatory reviews within individual ministries, such as the Ministry of Highway and Public Works.	No	No	F	D
Manitoba	No	No	Some. Progress has been limited to small projects, such as BizPaL and other service delivery enhancements.	No	No	F	F
Prince Edward Island	No	No	No	No	No	D	F
Northwest Territories	No	No	No	No	No	F	F