



Joint Office of Regulatory Affairs and Service Effectiveness

2016 Annual Report



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Joint Office of Regulatory Affairs and Service Effectiveness

2016 Annual Report

Province of New Brunswick
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It is time: Regulatory reform and modernization – highlights

March 2015	Memorandum of Understanding signed between New Brunswick and Nova Scotia to create the Joint Office of Regulatory Affairs and Service Effectiveness. Susan Holt named New Brunswick lead of Joint Office.
May 2015	Nova Scotia appoints Fred Crooks as lead of Joint Office and Chief Regulatory Officer.
August 2015	The Joint Office is preliminarily staffed.
November 2015	Maritime Premiers' <i>Action Plan for Regulatory Reform</i> announced: <ul style="list-style-type: none"> • Prince Edward Island joins the Joint Office. • <i>Charter of Governing Principles for Regulation</i> adopted. • Commitment to mirror legislation. • Commitment to common measurement for regulatory costs. • Immediate actions identified: <ul style="list-style-type: none"> – aligning dates for minimum wage changes; – aligning record-keeping requirements; – moving to common documents for procurement.
December 2015	<i>Regulatory Accountability and Reporting Act</i> introduced in New Brunswick and Nova Scotia; passed in Nova Scotia.
April 2016	Maritime Premier's <i>Action Plan</i> advances: <ul style="list-style-type: none"> • <i>Regulatory Accountability and Reporting Act</i> introduced in Prince Edward Island; • Minimum wage is aligned in New Brunswick and Nova Scotia on April 1; Prince Edward Island set to align in 2017; • Legislation to align record-keeping requirements introduced in the Maritime provinces.
May 2016	The Council of Atlantic Premiers announces commitment to: <ul style="list-style-type: none"> • adopt Canada Revenue Agency's (CRA's) One Business Number to simplify business registration with provincial workers' compensation boards; • give mutual recognition in specific areas of occupational health and safety; • move to standardize the carrier profile for the regional transportation industry.
June 2016	<i>Regulatory Accountability and Reporting Act</i> passes in New Brunswick and Prince Edward Island. Joint Office publishes first annual report.

"Many New Brunswick companies do business across the Maritimes. By reducing and better aligning regulations in both provinces, we will help create the conditions for economic growth and job creation which is our government's number one priority. New Brunswick may be among the smaller provinces in Canada, but by working together, we can achieve more for businesses and families in the Atlantic region."

– Brian Gallant, Premier of New Brunswick

"Atlantic Canadian businesses have a great deal to offer and, given the right environment and support, can compete both nationally and internationally. In some cases, the right business environment is achieved simply by removing obstacles, like artificial barriers or needless red tape. I wanted to take this opportunity to thank you for agreeing to work towards removing such obstacles."

– Wes Armour, CEO, Armour Transportation Systems

Examples of cost savings associated with reducing regulatory burden

\$730,000 – Annual savings for three initiatives, representing only a fraction of the work done throughout the year:

- \$420,000 – aligning record-keeping requirements;
- \$288,000 – moving apprenticeship forms online (Nova Scotia);
- \$21,000 – aligning timing of changes to minimum wage to April 1.

Future priorities

- **Measurement**
Implement a regulatory assessment and costing tool.
- **Service improvement**
Develop a service program as one means to address and reduce the regulatory burden.
- **Internal trade**
Enhance access to Maritime market for businesses through regulatory reduction, elimination or streamlining.
- **Workers' compensation**
Implement Canada Revenue Agency's (CRA's) One Business Number across Atlantic Canada.
- **Occupational health and safety**
Give mutual recognition in specific areas of certification and training across the Maritimes.
- **Procurement**
Implement common solicitation documents for procurement across the Maritimes.
- **Transportation**
Alignment of carrier profile systems across Atlantic Canada.

About the report

In the spirit of accountability and transparency, the recently passed *Regulatory Accountability and Reporting Act* commits government to report annually to the Premier and public on our progress to reduce red tape and improve service to residents and businesses. This is our first such report. You will find key highlights of our collective work to date, information about specific departmental achievements and a view of our programming priorities.

Though efforts to harmonize regulations regionally are not new, the approach taken by the Joint Office has set us up to deliver meaningful results and progress for the people and businesses of the Maritime provinces. We are committed to partnership and open dialogue with the people affected daily by our provinces' regulatory environments. We have taken steps to ensure their voices and issues drive our priorities and actions.

We have also consciously chosen to work on very tangible, specific opportunities for regulatory reform, believing firmly that this elephant needs to be eaten one bite at a time. The experience gained working on each of the initial priorities sets us up to tackle more red tape, and more complex regulatory reform, as we advance. I believe that momentum has started, and I look forward to picking up speed in the years ahead.

I will echo my colleagues' comments – I am very grateful for the partnership formed between my counterparts Fred Crooks, chief regulatory officer, Nova Scotia, and Paul Ledwell, clerk, Prince Edward Island. The support of our premiers has been unwavering. The team Fred has built is top-notch, and their hard work, professionalism and dedication are appreciated. The roll-up-their-sleeves attitude and support from our community partners (and the desire of others to join the effort now!) have been encouraging. Finally, to my colleagues in New Brunswick who have enthusiastically stepped up to take on new projects and advance our collective effort at every turn, you have my sincere thanks and gratitude.

I hope you will see in this report the results of our focus, commitment and work to get moving and achieve real results for New Brunswickers, and beyond, with the creation of this Joint Office. I welcome your feedback on our work to date to help us improve. The success of this work hinges on open communication and regular input from people all across our region. I look forward to continuing the work together.

Sincerely,

Susan Holt
New Brunswick's Chief of Business Relationships

The need

Regulation is a necessary part of any society, including Atlantic Canada's. Regulation sets the rules of the game, and frees legislatures from endless concern over the details of everyday practices, standards and codes. Well-designed regulation has benefits that match the costs. Judiciously applied, regulation contributes to our quality of life and capacity to do business and earn our livings.

And clearly, regulation is also costly. Costly to develop, costly to administer and costly to comply with. When regulations are numerous and complex, onerous and overlapping, they shift from enabling everyday business to becoming sand in the gears of it, a growth-inhibiting tax on our everyday activities, with few or no detectable benefits.

This matters a lot to small jurisdictions such as the Atlantic provinces.

In a small jurisdiction, the costs of developing and administering regulation are spread across a small number of businesses and transactions. The burden, as a share of trade, is higher than otherwise.

Regulation that makes it difficult to do business across provincial borders is especially costly. It limits local businesses' abilities to build scale, to build the launching pad they need to compete effectively in offshore markets, or even to compete effectively at home.

What makes regulation even more costly for the Atlantic provinces is its potential effects on long-term growth. Economic growth in a jurisdiction, other things being equal, depends on population growth and productivity growth – the value of output per worker.

Here, our fertility rates are low, the median age is high and net immigration is rarely high enough to keep the population stable, much less young.

Growth in our aggregate provincial incomes will not depend on population growth. It will depend on a rising value of output per worker, or rising productivity. These factors, together with our size, make addressing regulatory costs even more important than it might be elsewhere or at other times.

This is a short way of saying that future growth in Atlantic Canada depends on more than the health of markets elsewhere. It depends on our ability to compete successfully in those markets and at home.

Key to that success is our ability to keep regulatory sands out of the gears of trade and commerce. And that makes the work of the Joint Office of Regulatory Affairs and Service Effectiveness, aimed at reducing regulatory complexity, regulatory overlap and overload, so important to all of us.

Finn Poschmann
President and CEO
Atlantic Provinces Economic Council

The commitment

Message from the Premier of New Brunswick

It is no secret New Brunswick's economy is not yet where we would like it to be. Although we have already taken steps to improve our fiscal situation, we are still faced with challenges. Unfortunately, these challenges have deterred our province from reaching its potential when it comes to business development, trade and economic growth.

For the past two years, our government has focused on three priorities: job creation, economic growth and making life better for New Brunswick families. To achieve these goals, we must first create the right conditions to foster job creation and economic growth. Regulatory burdens and costs have created a barrier for business development, trade and even long-term growth.

Our neighbouring provinces face similar economic challenges. We also share many of the same economic opportunities. This is why there is a need now more than ever for us to work together to grow the Atlantic Canadian economy. With this shared belief in mind, we created the Joint Office of Regulatory Affairs and Service Effectiveness.

By taking a regional approach, we can work to break down the barriers between our provinces and open them up for business and trade opportunities. Through collaboration, we can improve workers' compensation, employment standards, occupational health and safety, transportation, and procurement while enhancing regulatory reform and modernization.

By reducing and better aligning regulations in the three provinces, we will help create the conditions for economic growth and job creation as well as improve the competitiveness of the region's economy. This partnership is about making it easier for businesses that operate, or want to operate, in all three provinces.

As premiers with similar economic challenges and opportunities, we have a unique chance to work together to improve the quality of life for Maritimers. I am encouraged and proud of the work we have achieved through this collaboration thus far. These accomplishments would not be possible without the support from Nova Scotia Premier McNeil and Prince Edward Island Wade Premier MacLauchlan. I thank them for their contributions in making this progress possible.

As Premier, and a proud New Brunswicker, I believe in the enormous potential of our province. This is our chance to build and strengthen relationships with our regional neighbours to move New Brunswick forward. By working together, we can overcome our collective challenges and more effectively tackle common issues. We can advance the interests of our province and the interests of Atlantic Canada.

I look forward to continued collaboration with our neighbours.

Honourable Brian Gallant
Premier of New Brunswick

The work

Work by the Joint Office of Regulatory Affairs and Service Effectiveness.

Just over one year ago, in March 2015, the governments of New Brunswick and Nova Scotia signed a Memorandum of Understanding establishing the Joint Office of Regulatory Affairs and Service Effectiveness. Its purposes:

- break down barriers;
- give Atlantic Canada a fresh perspective; and
- reform and modernize the regulatory environment to help make the region Canada's most streamlined and competitive for business start-up, growth and expansion.

In June 2015, the New Brunswick and Nova Scotia regulatory leads met and mapped out the initial plan for the Joint Office. By August 2015, the Joint Office team was five members strong. Immediately, this small group worked to put regional regulatory reform on a solid footing.

The result was the *Maritime Premiers' Action Plan for Regulatory Reform*. Announced in November 2015 by the premiers of New Brunswick, Nova Scotia and Prince Edward Island, the plan laid the groundwork for expanded and ongoing collaboration. It also contained immediate actions. Here is an overview of what was announced:

1. Joint Office expands to include Prince Edward Island

Prince Edward Island became a full partner in the Joint Office and its reform initiatives, making this truly a Maritime initiative.

2. Premiers adopt a charter of governing principles for regulation

The three premiers adopted a common *Charter of Governing Principles for Regulation*. Nationally and internationally, leading jurisdictions in regulatory reform adopt clear and straightforward principles to guide regulators on when and how to regulate and, as importantly, when not to regulate. Before their adoption, none of the three Maritime provinces had such a code.

The core themes of the Charter:

- regulation should be a public policy tool of last resort, not first;
- government should favour non-regulatory options like education, voluntary compliance and incentives if they can do the job;
- if regulation is enacted, it should be in the lightest form possible and based on analysis of the costs and benefits to the public, business and government as well as its overall economic impact;
- making regulations should be transparent, evidence-based and consultative with affected parties.

3. The premiers commit to mirror legislation on regulatory accountability and reporting

The three premiers committed to mirror legislation to ensure adherence to the *Premiers' Charter of Governing Principles for Regulation*. As a result, each province has passed and proclaimed a [regulatory accountability and reporting act](#). While other areas have adopted legislation, the Maritimes are the first region where different jurisdictions have adopted mirror legislation. This shared

Regulatory Accountability and Reporting Act: **Overview**

- Refers to the Charter of Governing Principles for Regulation
- Establishes the Joint Office.
- Requires the Joint Office to produce an annual report by June 30 to:
 - report on the progress to reduce the regulatory burden; and
 - outline the goals and objectives for the coming year.
- Requires a review of the Joint Office after three years to ensure that office is providing value to its respective governments.
- Contains a sunset clause: the act expires after five years, unless the legislature of each province determines it should continue.

vision, underscored by mirror legislation, is significant, if not unprecedented.

4. Public accountability: commitment to measurement

The three premiers committed to adopting a common model for measurement. A reliable method of measuring and tracking the costs of regulation allows the public, government and stakeholders to determine whether government's commitment to reducing the regulatory burden is producing results. Measurement is the cornerstone of accountability. This commitment to a common approach to measurement is a first in Canada. Consequently, a regulatory assessment and costing tool are under development, soon to be piloted. So, too, are approaches to measuring the cumulative regulatory burden and the impact of initiatives and efforts to reduce the overall burden.

5. Immediate action

Procurement and labour standards alignment

In addition to foundation pieces such as the *Charter*, mirror legislation and a commitment to measurement, the action plan outlined immediate action to align aspects of the regulatory system across the Maritimes. Action was announced in two areas:

- **Procurement**
Procurement spending by the three governments is a major economic lever. Each province has different documents and procedures for procurement, making the conduct of business in the three provinces more complex and cumbersome than necessary. The move to common procedures and documents will make it easier for businesses to operate across the three provinces. It will also make joint procurement, where the provinces combine their purchasing power, more effective and less costly for government and business. Common solicitation documents for goods and services will be complete by the end of 2016; those for construction services will be complete by June 2017.
- **Labour standards**
Businesses across the region consistently identify the complexity of labour standards and the countless differences between provinces as barriers to business. To acknowledge this, the three premiers indicated a desire to harmonize, simplify and eliminate those differences to make it easier for businesses that employ – or may want to employ – people in

all three provinces. To begin this work, the premiers made two commitments:

1. **Aligning the record-keeping requirement for employers across the three provinces** – Legislation for alignment was introduced in the spring of 2016, with implementation in January 2017. In addition to aligning the requirements, the changes improve clarity for employers, make compliance easier and are estimated to save employers \$420,000 annually.
2. **Aligning the dates for minimum wage changes in each Maritime province** – Minimum wage changes took effect on April 1, 2016, in New Brunswick and Nova Scotia; Prince Edward Island aligns its date in 2017. Having a common date for minimum wage changes makes it easier for employers with employees in more than one province. This change is estimated to save employers \$21,000 annually.

This commitment dealt only with the date of minimum wage changes; the provinces maintain their own processes for determining how the wage is set as well as the rate itself.

Atlantic Red Tape Reduction Partnership

In addition to the work within the Maritime region, the Joint Office has been leading the Atlantic Red Tape Reduction Partnership. The partnership, announced by the Council of Atlantic Premiers in 2015, has a mandate to identify business regulations and administrative processes that can be streamlined to create a more competitive economic climate across Atlantic Canada.

The partnership was a joint government-private sector partnership, with consultations led by the Canadian Federation of Independent Business (CFIB), the Atlantic Chamber of Commerce (ACC) and the Canadian Manufacturers and Exporters (CME). Based on outreach with their respective memberships and other industry groups, the business community identified three areas in need of regional alignment. These recommendations were presented to the four Atlantic premiers and in May 2016. They committed to take the following actions:

- **Adopt the Canada Revenue Agency's (CRA's) "One Business Number" for Workers' Compensation** – The Atlantic provinces will adopt CRA's One Business Number and link it to workers' compensation systems. Use of the One Business Number will simplify the registration process and business interactions with all business-related programs, including workers'

compensation. Full use of the One Business Number will be in place across the region by the end of 2017.

- **Standardize carrier profiles for transportation** – Working with stakeholders, the premiers agreed their provinces would assess options for standardizing the carrier profile system for the trucking sector. Increased standardization will simplify administration and will make bidding on government work across the region easier.
- **Mutual recognition for specific areas in occupational health and safety** – The premiers announced the four provinces will mutually recognize specific occupational health and safety (OH&S) equipment

and safety training standards; this will be done in consultation with the business community. OH&S is an area the business community consistently identifies as burdensome. It is believed that mutual recognition in specific areas will make it easier for businesses and highlight the concept that mutual recognition is one real and relatively simple way that the region can eliminate barriers.

The business community, which led the consultation process to identify these priorities, will also be involved and informed of progress on implementation.

Work by departments

The Government of New Brunswick has been working to improve the regulatory burden on residents and business for a number of years prior to the creation of the Joint Office.

Specifically, employees undertook a significant effort to develop an inventory of the 52,970 provincial regulations in New Brunswick a few years ago. Then an interdepartmental committee imposed a 20-per-cent reduction target on each department.

Government proceeded to eliminate unnecessary, duplicative and inapplicable regulations while making others into policies or changing requirements to more flexible environments. As of August 2015, New Brunswick has successfully achieved a 25-per-cent reduction in regulations – about 7,600 regulations removed.

To ensure our regulatory efforts are transparent, to improve awareness of regulatory changes and ultimately to improve our regulations themselves, the Government of New Brunswick adopted the best practice of posting draft regulations online prior to the regulations becoming law. This process is mandatory for all departments.

Today, all departments are expected to continue to make every effort to reduce or eliminate barriers to growth and provide the region with an unbridled opportunity to flourish. There has been a culture change within the Civil Service captured in the *Charter of Governing Principles*. While the Joint Office has led work on a regional level, work continues across all departments to reduce the regulatory burden for businesses and the public. Some examples, by department:

Service New Brunswick

"The digital space presents tremendous opportunities for government to transform how it interacts with New Brunswickers and we are pleased to be leading this initiative with our Government of New Brunswick partners. Our goal is to develop digital solutions that will make every day things better for New Brunswick residents and businesses and make our companies the world's recognized experts in this space."

– Ed McGinley, CEO of TechImpact

Service New Brunswick Online provides a single window access to electronic and downloadable forms for business registrations with departments and agencies.

- Service New Brunswick and CRA have partnered to integrate some registrations and share a common business number that will become a key part of the delivery of improved services to the business community. During the coming months, departments and agencies will continue to phase in use of the Business Number (BN).
- As part of the Smart Province Initiative, government has partnered with the private sector to create nb+, a digital lab, and has begun to digitize government services to businesses and the public.
- Effective June 6, 2016, Service New Brunswick has been providing the administrative licensing and permitting functions for electrical, plumbing, boiler, pressure vessel, gas, fire, elevator and amusement park ride programs through SNB offices. As well, fee collection for

contractors, trade workers, engineers, businesses and the public will be processed at Service New Brunswick.

Department of Finance

Regulations under the *Small Business Investor tax Credit Act* have been amended to broaden eligibility, increase the maximum allowable investment and increase the eligible credit to 50 per cent. This allows small businesses to raise more investment with less paperwork and filing:

- Regulations under the *Small Business Investor Tax Credit Act* have been amended to help small businesses access capital by allowing community economic development corporations and co-operative associations to participate in the Small Business Investor Tax Credit program. The amendments took effect on April 1, 2016.
- An alternative service delivery unit has been established to ensure a strategic, evidence-based and standardized approach is applied as government assesses potential out-sourcing, public-private-partnerships or other alternate delivery models.
- Two reductions of the small business tax rate from 4.5 per cent in 2014 to 3.5 per cent on April 1, 2016.
- New Brunswick, along with British Columbia, Ontario, Saskatchewan, Prince Edward Island and Yukon, is finalizing legislation to jointly establish the Capital Markets Regulatory Authority, which would administer the *Capital Markets Act*, the federal *Capital Markets Stability Act* and the regulations. The project is designed to better protect investors, foster greater efficiency and more effectively manage systemic risk in national capital markets. This represents a significant achievement in the harmonization of provincial and territorial capital markets legislation.

Department of Transportation and Infrastructure

"Trucking is an important part of the economy in New Brunswick and an essential service to deliver all goods. Aligning ourselves with other provinces on weights and dimensions brings much needed efficiencies and smoother flow of goods."

– Jean-Marc Picard, Executive Director, Atlantic Provinces Trucking Association

- A new, specialized weather buoy provides online information to forecast wind, wave and ocean currents

in the Bay of Fundy more accurately. With accurate data, shipping companies will have additional information to navigate their vessels safely through the waterways leading into Port Saint John. The technology improves the port's reliability, and supports better planning and more efficient operations by shippers and others using it.

- The provincial government began to upgrade and enhance its mobile radio communication system on June 30, 2015. The new system was adopted in partnership with the municipalities, allowing all partners to share the advantages of a common investment. Completion is expected in late 2016.
- The governments of Nova Scotia and Prince Edward Island recently formed similar partnerships with Bell Mobility for upgrading communication systems in their jurisdictions. As a result, New Brunswick's new system will allow for connecting all Maritime systems together for communication among the provinces during emergencies and weather events.
- Agreements with Nova Scotia, Quebec and Ontario now recognize each other's training and certification for long combination vehicles, allowing drivers to operate from Halifax to Windsor, Ont., without separate licences.

Department of Post-Secondary Education, Training and Labour

- A three-year pilot project to help international student entrepreneurs starting businesses in New Brunswick was launched on May 7, 2015. The Student Entrepreneurship Pilot Project will help graduates from the J. Herbert Smith Centre for Technology and Entrepreneurship at the University of New Brunswick apply for permanent residence in Canada through the New Brunswick Provincial Nominee Program more efficiently.
- A comprehensive review is underway to ensure workers' compensation legislation and policies are appropriate to address the needs and realities of current and future workplace environments; and to strike the right balance between adequate compensation for injured workers and employers' fiscal interests.

The first phase of the review examined the issues of an internal dispute mechanism and the governance of the WorkSafeNB Appeals Tribunal. The second phase examined the governance structure for WorkSafeNB, the Workers' and Employers' Advocates Services, and Section 38 of the *Workers' Compensation Act*, which governs benefits.

- New Brunswick is chairing the Atlantic Workforce Partnership, established under the Council of Atlantic Premiers. Under the Partnership leadership, Memorandums of Understanding supporting apprenticeship harmonization and apprentice mobility have been signed.
- Under the Apprenticeship Harmonization Project, four trades have harmonized their apprenticeship programs – cook, bricklayer, welder and metal fabricator (fitter). Common rules and guidelines for examination have been established, common registration and completion requirements have been established, common trade qualifier requirements have been established and education requirements have been aligned. Six additional trades are scheduled to be harmonized by 2017.
- Under the Apprentice Mobility Project, apprentices gain seamless mobility across the Atlantic provinces, enabling a more efficient and timely completion of their certification.

Atlantic trade advisory committees were established to explore harmonization of trades training in the region, providing greater access to training closer to home.

Opportunities New Brunswick

- On April 1, 2015, Opportunities NB became the one-stop shop and first point of contact for local and foreign businesses looking to grow, expand or locate.
- Opportunities NB, GE Canada and GE Ventures Licensing have launched a partnership to provide easy access to GE intellectual property to help New Brunswick entrepreneurs bring new technology, products and services to market.

“My experience with Opportunities New Brunswick has totally changed my idea of what it would be like to work with the public and non-profit sectors. You walk in thinking these folks will make it all happen for you, but you find out that no, YOU have to make it happen; it is your idea. But they will provide essential networking, support, encouragement, and advice to help you along the way. ONB truly wanted me to be successful and have really supported me every step of the way.”

– Matt White, Owner, Sussex Beard Oil Merchants

Department of Energy and Resource Development

- A web-based e-Licensing system introduced in 2015 makes it easier for outfitters, tourism operators, fishers and hunters to obtain licences online. The Outdoors Card provides an identification number unique to cardholders, which they use for all their licensing needs.
- The Smart Grid Innovation Network (SGIN), launched on Jan. 28, 2016, offering businesses a venue to design, develop and test smart grid related products and services, offering aspiring start-ups and established companies a testing environment to overcome technology hurdles. The SGIN consists of three interconnected labs (at the University of New Brunswick, Siemens and NB Power), each with a number of virtual and physical lab elements.
- The Locally-owned Renewable Energy Projects that are Small Scale Program (LORESS) now allows a number of different local entities to work with NB Power to install renewable energy sources in their communities. It provides economic benefits to local entities such as universities, non-profit organizations, associations, co-operatives, First Nations and municipalities.

Department of Justice and Public Safety

- The Atlantic provinces have completed a joint procurement process for providing ignition interlock devices in the ongoing effort to reduce impaired driving. The devices are used in Canadian jurisdictions to allow a convicted impaired driver to regain driving privileges under strict conditions.
- Active and retired members of the Canadian military living in New Brunswick and holding a Department of National Defence (DND) 404 driver's licence may obtain an equivalent New Brunswick commercial vehicle driver's licence without additional training or testing. This measure supports the Helmets to Hardhats Canada, a non-profit organization that partners with building trades organizations across the country as well as provincial governments to provide career opportunities to veterans and serving reservists.

Future work

The future work of the Joint Office will continue in two streams:

- systems and processes to support compliance with the *Regulatory Accountability and Reporting Act*, which includes adherence to the *Charter of Governing Principles for Regulation*, and service effectiveness; and
- an ambitious agenda for regional alignment in areas with maximum economic benefit.

Making the *Charter* real – and giving it ‘teeth’

In the upcoming year, the Joint Office will give life to the *Charter* by supporting all Nova Scotia government departments and agencies in following the requirements for regulatory development as reflected in the principles outlined in the *Charter*. All proposals for new or amended regulations with business impacts will be required to assess the proposal against the *Charter’s* principles, including the anticipated benefits against the anticipated costs to business. Implementation will also be pushed forward in New Brunswick and Prince Edward Island.

Departments and agencies are responsible for ensuring that the guidelines and principles contained in the *Charter* have been applied during the planning, analysis, and development of regulatory instruments that affect business. This includes legislation, regulation and policy process during which a regulatory instrument may be considered.

Proposals for new or amended regulations that affect business must demonstrate the potential impact to business, including administrative costs, impacts to consumers and the anticipated broader economic impact such as increasing the region’s competitiveness.

Future regional initiatives

The following are, directionally, the areas the Joint Office has set its sights on. Future priorities will ultimately be determined on the basis of evidence and stakeholder support.

Internal trade

Central to the mandate of the Joint Office is helping small- and medium-sized businesses in each Maritime province have unfettered access to the full Maritime market of 1.8 million consumers. Businesses and public agencies have pointed out that numerous interprovincial barriers, many arising out of unnecessary regulatory differences among the three provinces, stand in the way of free access. Getting easier access to the larger Maritime market is essential to allow businesses to build on the scale needed to compete successfully in much larger national and international markets.

The Joint Office is undertaking research to examine trade flows by industry sector within the region to determine the most significant barriers, and to identify opportunities for enhancing cross-border Maritime trade.

Some opportunities to enhance internal trade with significant economic impact are:

- **Workers’ compensation**

The complexity within workers’ compensation and the variances among provincial systems rank high on businesses’ priority list for attention. For that reason, workers’ compensation was an area of focus for the Atlantic Red Tape Reduction Partnership, and the four Atlantic premiers announced that CRA’s One Business Number will be adopted across workers’ compensation systems in the four provinces by the end of 2017. The Joint Office will work to ensure full implementation of that commitment as well as support any additional efforts to bring greater alignment, harmonization, or streamlining to the systems to the benefit of all stakeholders, including employers.

- **Employment standards**

Employee rights are critical to a strong regulatory system. There is an opportunity to make this system stronger and more consistent across the region by eliminating administrative differences that currently exist and which employers operating in all jurisdictions must navigate. Departments with responsibility for employment standards within each Maritime province have made great strides in streamlining specific aspects of employment standards, namely

aligning dates for minimum wage changes and aligning record-keeping requirements. Additional areas for collaboration will be a future focus for the Joint Office, as the complexity of and differences between the three labour codes is consistently raised as a burden for businesses. For example, the three provinces may work on a “Maritime agenda” to identify areas for burden reduction and alignment and use a collaborative approach to consultation.

- **Occupational health and safety**

Under the Atlantic Red Tape Reduction Partnership, the Atlantic provinces have agreed to mutual recognition in specific areas of OH&S identified as an area of priority by business. The Joint Office will ensure full implementation of this commitment, and work with the departments to identify future areas for collaboration. One area that holds some potential for alignment is licensing within specific areas of technical safety.

- **Transportation**

Transportation is critical to the movement of goods across the region and across the country. Apart from being a significant industry, transportation is also a significant input cost for many businesses. Much work has been done at both the national and regional levels to better streamline regulations and requirements to make the movement of goods easier, but more work remains. In addition to ensuring the full implementation of standardizing the transportation carrier profile, as announced by the Atlantic premiers, the Joint Office is also examining other opportunities in this area.

- **Procurement**

Streamlining and aligning the procurement process within the region was identified as a priority early in the Joint Office’s mandate. In addition to ensuring that the promised move to common solicitation documents is implemented, the Joint Office is examining other opportunities in this area.

Measurement

Measuring and tracking the costs of regulation form a cornerstone of accountability, allowing the public, government and stakeholders to determine whether government’s commitment to reducing the regulatory burden is producing results. The Joint Office has been developing a regulatory assessment and costing tool which will be rolled out across government during

the next several months. The costing tool will support policy-makers in assessing the impact of regulation on government and business. It will provide an estimate of the compliance costs for business and administrative costs to government for regulatory proposals and support risk analysis. It will require the consideration of business input as well as the broader impact to the economy.

To determine if what we are doing is making a difference to business, we must understand the cumulative impacts of regulatory requirements and assess the impact of initiatives that aim to reduce regulatory burden. To support this understanding and assessment, the Joint Office will develop measures and targets in key areas, such as compliance costs for business and regulatory service and predictability.

Specific performance measures and targets will be developed and published later in 2016, based on feedback from stakeholders following the implementation of the costing tool.

A detailed overview of the approach to measurement is in the In Depth section.

Service effectiveness

A significant part of what is perceived by business as undue regulatory burden is made up of, or made worse by, unsatisfactory service experiences. While there are certainly examples of service excellence within government, the Joint Office has coordinated qualitative and quantitative research that points to government service as a source of burden and frustration.

To better understand its opportunities in the area of service, the Joint Office will conduct market research with start-ups, new businesses and existing small- and medium-sized businesses to better understand businesses’ experiences and the perceptions of government service in support of regulation. This will complement insight provided through the extensive stakeholder network of the Joint Office.

Based on the input, we will develop a service program as one means to address and reduce the regulatory burden. The completion date for a first draft of a service plan is the early fall of 2016.

A detailed overview of the Joint Office’s future service effectiveness agenda is outlined in the In Depth section.

In depth

Regulatory reform and modernization

How regulation is adopted and administered is a strong determinant of economic climate. Jurisdictions with advanced and agile models of regulatory governance have a clear competitive advantage over those whose dated approaches to regulation include unnecessary complexity, overreach, obscurity, and inflexibility. Good regulation promotes a high quality of life by protecting core health, safety, consumer, business and worker interests. At the same time, good regulation is highly responsive to the dynamism of increasingly competitive, innovative and flexible economic trends. Research shows that good regulation creates a better climate for business and leads to greater productivity in the public sector and an improved service culture in government itself.

Regulatory reform initiatives have been many and varied across the country, including in Nova Scotia, and indeed the Western world during the last two decades. Some of these initiatives have met with success; others have not. Some have been sustained, others have been fleeting. The regulatory reform and modernization initiative being embarked on in Nova Scotia and the Maritime region is aiming for real, measurable success. Only if that is achieved, and is recognized as such, does sustainability have a chance of taking hold.

Experience shows that for regulatory reform to show progress and take hold, the following elements must exist:

- strong political leadership at the very top;
- resources dedicated to the sole purpose of regulatory reform and excellence;
- clear regulatory principles that provide guidance for policy makers and regulators on developing and assessing regulation;
- a model or approach for analyzing the costs and benefits of regulation and for measuring or assessing regulatory burden;
- accountability, including public reporting; and
- an open and inclusive process for stakeholders

All of these elements are present in our current initiative and, unlike most, it recognizes that poor customer service can be a main driver of “red tape.” Said differently, the current initiative has embedded in its

What is different about this regulatory reform initiative?

The need to reduce red tape is not new to Nova Scotia. In fact, Nova Scotia embarked on red tape reduction exercises in the past. All had some measure of success but none had staying power.

To ensure a continued focus on regulatory reform, this initiative has several distinguishing features:

- the Joint Office is a stand-alone office, with dedicated resources for the sole purpose of reducing the regulatory burden;
- the Joint Office reports directly to the Premier;
- it is an interprovincial office with an interprovincial mandate;
- it is grounded in the *Charter of Governing Principles for Regulation*, which all three Maritime premiers have adopted;
- this is the first time the Maritime provinces have legislation requiring regulatory accountability, including public reporting; and
- the Joint Office is focused on service improvement.

mandate the understanding that service enhancements and improvements are important levers to reduce the regulatory burden.

These elements transcend provincial boundaries; the Maritime premiers have made a shared commitment to regulatory reform and modernization across the region. This opens up a new field of opportunities for creating a better business climate by bringing down barriers to trade, including eliminating unnecessary regulatory differences through harmonization or mutual recognition.

These unique and distinguishing features underscore the importance of putting in place a solid foundation to fully utilize the opportunity to reform and modernize the way the region regulates to enable, not erode, business and economic growth.

About the Joint Office

Our origins

The potential transformative effect of regional regulatory reform was the driving force behind the creation of the Joint Office of Regulatory Affairs and Service Effectiveness.

In March 2015, the premiers of New Brunswick and Nova Scotia signed a Memorandum of Understanding creating the Joint Office of Regulatory Affairs and Service Effectiveness.

Its mandate is to improve the climate for business growth across the Maritime Provinces by eliminating formal and informal barriers to interprovincial commerce. The office has three primary functions:

- **Lead:** The Joint Office adopts principles, practices, and processes to guide regulators and acts as lead agency in ensuring that culture and practice are consistent with regulatory goals.
- **Advise:** The Joint Office provides advice and support to government on regulations and proposals for regulations to ensure consistency with established principles and practices and overall good regulatory governance.
- **Be a resource:** The Joint Office is an expert resource to government and stakeholders on best practice

Measurement

The key to accountability in regulation is the ability to measure the potential impact of regulatory proposals. This includes estimating the compliance costs for business and administrative costs for government, analyzing risk, considering input from business stakeholders and assessing the broader impact to the economy. Accountability also includes monitoring the outcome of regulation after it is enacted. Measurement helps identify where regulations could be replaced with other mechanisms, what process and service improvements can be made to reduce the burden for business and whether progress is being made.

There are two primary costs of regulation: costs that businesses incur in complying with the regulation and administrative cost to government. Careful measurement of the costs, benefits and impacts of regulation is

What does the Joint Office do?

The Joint Office supports the development and implementation of a joint Maritime agenda to identify and eliminate unnecessary rules, processes, and practices. Our work includes, but goes beyond, cutting red tape. It is about creating a regulatory environment that improves our region's competitive position.

in regulation and service effectiveness.

As regulatory reform is a cross-government initiative, all parts of government have a role to play in removing obstacles to growth and coordinating work with other provinces. While the Joint Office's focus is on regulatory governance and developing tools to assist with regulatory excellence, departments determine how to best address issues and embrace opportunity in a way consistent with government's priorities, which include regulatory reform and modernization.

In November 2015, Prince Edward Island joined the Joint Office, making the initiative truly a Maritime effort, and the three premiers announced the *Maritime Premiers' Action Plan for Regulatory Reform*.

vital for fair and targeted crafting of regulation, sustainability of regulation, continuous service improvement and communication with stakeholders.

Based on best practices from jurisdictions leading in regulatory reform, the Joint Office is developing a reliable method of measuring and tracking the costs of provincial regulation to business, which will allow the public to see whether the commitment to reducing regulatory burden is producing results.

What we are measuring

To determine if what we are doing is making a difference to business, we must understand the cumulative impacts of regulatory requirements and assess the impact of initiatives that aim to reduce regulatory

burden. To support this understanding and assessment, the Joint Office will develop measures and targets in key areas such as compliance costs, regulatory service, and predictability.

Specific performance measures and targets will be developed and published later in 2016, based on feedback from stakeholders following the implementation of the costing tool. The kinds of measures that we anticipate developing to assess progress in reducing regulatory costs to business include:

- **Reduction in burden:** savings generated by initiatives that streamline, deregulate or improve service effectiveness. This could include, for example, improvements to legislation, regulations, and government processes to better promote business competitiveness, productivity and economic growth without compromising protection of the public interest.
- **Incremental regulatory cost:** cost of new regulatory requirements, including compliance costs for business and administrative costs for government. Compliance costs for business include internal costs such as staff and time required to comply with regulatory obligations, external costs such as professional services needed to meet regulatory obligations, one-time capital costs such as equipment or other expenditures required for regulatory compliance, and fees. Administrative costs to government can include time and staff costs, such as wages, overhead and other measures required to develop and implement regulations.
- **Net regulatory burden:** cumulative costs of new provincial regulatory requirements for business, offset by savings to business generated by deregulatory or service effectiveness initiatives.
- **Regulatory impact review:** assessment of the impact that individual regulations have had on businesses in Nova Scotia, particularly whether individual regulations are meeting their intended outcomes.

How we will measure

The costing tool that will assist government departments in assessing a potential regulatory change against the *Charter of Governing Principles for Regulation*. Of particular consideration will be determining whether regulation is the most appropriate instrument to address an identified policy need, and quantifying

the anticipated cost of the proposed regulation on business and government.

Initiatives that could result in savings to business by reducing burden would also be costed through the costing tool to estimate the anticipated savings.

The costing tool will include a cost calculator based on the Standard Cost Model (SCM), which is a method used for measuring the administrative burden of a regulation. The SCM model was initially developed in the Netherlands and has subsequently been used in countries around the world, including Canada. The costing tool will estimate the costs that businesses would incur in complying with regulation, including the administrative costs of completing required activities, costs from acquisitions (e.g., equipment) or external services that may need to be purchased, and fees that businesses are required to submit.

The costing tool will be implemented across Nova Scotia government departments first, in 2016–2017, and will become a required part of proposals for new or amended regulations that impact business.

It will allow us to evaluate the impact of individual regulatory proposals on business as well as the cumulative effect of initiatives that increase or reduce the overall regulatory burden on business. The data from the costing tool will provide estimates of annual costs arising from regulatory changes and estimated savings from initiatives such as service enhancement and streamlining or eliminating requirements.

After implementation in Nova Scotia, the costing tool will be made available to government departments in New Brunswick and Prince Edward Island, and it will be a component of developing an approach to measuring broader regulatory burden at the regional level.

What is next in measurement

The Joint Office is developing performance measures and targets in the areas of Administrative Burden to Business, Regulatory Transparency and Accountability and Regulatory Service and Predictability.

Targets for regulatory burden reduction will be developed at the departmental, provincial and regional levels. These targets could include cost savings to be achieved from regulatory burden reduction, regulatory

off-set requirements (e.g., “one in, one out” rule), and service standards.

Other initiatives related to supporting the regulatory measurement framework under consideration:

- a required public notification period for any new or amended regulations that impact business;
- mechanisms such as interviews and surveys to gather input directly from businesses about the regulatory burdens they experience, and changes over time; and
- increased transparency and public reporting of regulatory planning, including planned regulatory reduction initiatives.

Service effectiveness

A significant part of what is perceived by business as undue regulatory burden is made up of, or made worse by, unsatisfactory service experiences. While there are certainly examples of service excellence within government, the Joint Office has coordinated qualitative and quantitative research that points to government service as a source of burden and frustration.

Highlights from what we have heard to date:

- Businesses are not anti-rule or -regulation. In fact, many businesses understand the important role of regulations, especially in the areas of health and safety, and see good regulation as synonymous with good business.
- Businesses believe that making government easier to deal with will save them time, effort and money and, in turn, help them grow.
- Businesses have difficulty navigating and understanding some of the rules and regulations that apply to them and want help and direction with that task.
- There is frustration and annoyance when a department or departments are involved, in an issue or an activity affecting a business. Businesses view interactions with multiple departments as duplicative, time-consuming, and costly – for themselves and government.
- Differences between neighbouring provinces are particularly troublesome; businesses indicate that these differences limit growth.
- Inspectors represent one of the main “faces” of government; businesses want and expect them to be helpful.

Based on what the Joint Office has heard, we will be working to use service excellence as one means to address and reduce the regulatory burden. The first draft of a service plan will be ready in early fall 2016. Initial ideas include:

- a jurisdictional review of government services worldwide to gain an understanding of what is best practice;
- a jurisdictional scan to understand the leading trends in service and where the Maritime provinces stand in the continuum;
- partnership with external business and labour groups to identify the most acute “pain points” for the public, business and employees to inform our prioritization;
- the potential for a navigation function to help businesses navigate government departments for permits or licences that are part of their ongoing operations. Since businesses operate under both municipal and provincial jurisdictions, and businesses do not distinguish between them, we contemplate providing some assistance at both levels of government.
- a better understanding of the importance of the business/inspector interface, since the face of government for business is the inspector.

In keeping with all of our work, the Joint Office will measure and report on the effectiveness of service improvements over time to ensure that we are delivering what businesses need to thrive and grow, and to track these efforts in relation to a reduction in the regulatory burden.

Our partners: The business community

Regulation affects everyone. From the food we eat to our workplaces to our playgrounds and recreational spaces, there are few areas not touched by regulation. Certainly, there is work to be done in all areas to ensure that the benefits of regulation match the costs and do not add unnecessary burden or complexity to families and communities.

The Joint Office was created in response to calls from the business community that overly burdensome, complex and costly regulation inhibits business growth. It was created because governments understand that there is a significant opportunity to use regulatory reform and modernization as a lever for growth.

Premier McNeil has been clear in stating the view that the private sector, not government, is responsible for job creation. This is not to say that government does not have an important role to play. After all, businesses can only create jobs when they operate in an environment that makes it as easy as possible – with all the right safeguards – to do this. The regulatory environment is a key component of the business climate and one that government can directly influence.

The Joint Office continually works to earn the trust and support of the business community, formally and informally. Our outreach occurs in a variety of ways: speeches, presentations, face-to-face meetings, informal discussions and email.

The Joint Office has had three formal group meetings with stakeholders, in December 2015, March 2016 and June 2016. At our last gathering, we shared highlights from this annual report. We believe the report is as much the business community's report as the Joint Office's, given the amount of time, effort, insight and support that they have provided.

The groups the Joint Office has worked with, and has sought input and guidance from, include:

- Agricultural Alliance of New Brunswick;
- Atlantic Chamber of Commerce;
- Atlantic Convenience Stores Association;
- Atlantic Provinces Economic Council;
- Atlantic Provinces Trucking Association;
- Bathurst Chamber of Commerce;
- Bay of Fundy Business Council;
- Canadian Federation of Independent Business ;
- Canadian Fuels Association;
- Canadian Manufacturers and Exporters;
- Charlottetown Chamber of Commerce;
- Construction Association of New Brunswick;
- Construction Association of Nova Scotia;
- Fredericton Chamber of Commerce;
- Halifax Chamber of Commerce;
- Insurance Bureau of Canada;
- Maritimes Energy Association;
- Mining Association of Nova Scotia;
- Miramichi Chamber of Commerce;
- Moncton Chamber of Commerce;
- National Farmers Union – New Brunswick;
- Nova Scotia Federation of Agriculture;
- Office of Employer Advisor of Nova Scotia;
- Pictou County Chamber of Commerce;
- Restaurant Association of Nova Scotia;
- Restaurants Canada (Atlantic Canada chapter);
- Retail Council of Canada;
- Strait Area Chamber of Commerce;
- SPARK NB;
- Tourism Industry Association of New Brunswick;
- Tourism Industry Association of Nova Scotia;
- Truro Chamber of Commerce; and
- Young Presidents' Organization.

Without the input, insight, guidance and support of these business and industry groups, along with individuals who own and run businesses of all sizes, the Joint Office would not have made the progress it has. The Joint Office is committed to maintaining a business-centred perspective to ensure that our work is supported by the business community and is meaningful and impactful.

Appendix A: Reducing the burden – costs and benefits

Through the recently developed and soon-to-be-implemented Regulatory Assessment and Costing Tool, all regulatory proposals will be carefully assessed for compliance costs to businesses, and all regulatory burden-reduction initiatives will be assessed for anticipated cost savings to business. Through this process, we will know whether we are making progress in reducing the overall regulatory burden to business.

The examples below showcase the administrative cost savings to business that are expected to result from recent burden reduction initiatives in the Maritime provinces. They also provide an example of how the Joint Office will quantify anticipated cost savings.

Burden-reduction initiatives will be assessed through a rigorous process to ensure that they will result in real savings to business. Additional opportunities for burden reduction will continue to be explored and implemented, and the resulting anticipated cost savings to business will be measured and reported on in future years.

In upcoming years, we will report on more initiatives that contribute to easing the burden on businesses and helping to create the conditions in which businesses can succeed.

Alignment of dates of minimum wage changes – costs and benefits

Aligning the date for minimum wage changes will collectively save affected businesses about \$21,000 annually.

Summary of action:

- The Maritime premiers committed to aligning the date of minimum wage changes to make it simpler for businesses with staff in more than one Maritime province.

- In the past, minimum wage changed on different dates in all three provinces. For example, from 2010 to 2015 there were 19 changes to the minimum wage in the Maritime region – dates that businesses had to track.
- In future years, the wage will change once per year, on the same date across the Maritime provinces.
- The commitment does not align the minimum wage rate nor does it align the process by which the minimum wage is determined.

Cost and benefits:

- It is estimated that the total cost savings to businesses in the first year is \$20,800.
- The savings will grow due to cumulative impact (year-over-year savings).
- The primary benefit is to those businesses employing minimum wage earners and operating in the Maritime provinces.

Alignment of record-keeping

Aligning employer requirements for record-keeping has an estimated annual savings of \$420,000 for Maritime employers.

Summary of action:

The Maritime premiers committed to aligning record-keeping requirements for employers to make it easier for all businesses, with a special focus on those doing business in more than one province.

- The Maritime provinces have comparable but different requirements, causing confusion and frustration both for employees and employers. As well, some requirements are vague; the changes provide greater clarity to employers.
- These changes take effect on Jan. 1, 2017.

Cost and benefits

- In the first year this change is expected to save businesses 14,000 hours in time spent on employee records. This time is valued at \$420,000.
- The savings will grow due to cumulative impact (year-over-year savings).
- Savings were estimated for all businesses and organizations (including non-profit and government) that have employees in the Maritimes.
- The main benefit would come from increased clarity and consistency, which would reduce the amount of time spent on record-keeping.

Appendix B: *Premiers' Charter of Governing Principles for Regulation*

Leading jurisdictions on regulatory reform and modernization adopt principles that guide regulators. The following statement of principles reflects the Maritime Premiers' vision for regulation in New Brunswick, Nova Scotia and Prince Edward Island and takes into account leading national and international practices.

Premiers' Charter of Governing Principles for Regulation

Regulation is a powerful and sometimes necessary instrument of public policy that can support efficient and effective markets and protect consumers, workers and the health, safety and environment of citizens and communities. But it has limits. And there are often better instruments of public policy than regulation.

Experience shows that unnecessary or outmoded regulation can distort markets, unduly burden citizens, businesses and governments, and impede economic growth. Given this, regulation should never be an instrument of first resort, and should be deployed only when necessary and where there is clearly no better policy alternative.

A Statement of Fundamental Intent on Regulation

1. **The Government will regulate to achieve its policy objectives only**
 - a. Having demonstrated that satisfactory outcomes cannot be achieved by alternative self-regulatory or non-regulatory approaches;
 - b. where analysis of the costs and benefits demonstrates that the regulatory approach is superior by a clear margin to alternative, self-regulatory or non-regulatory approaches;
 - c. where the regulation and the enforcement framework can be implemented in a fashion which is demonstrably proportionate, accountable, consistent, accessible, targeted and predictable; and
 - d. where the regulation and associated process is consistent with the Guidelines set out in section B below.

2. **There is a general presumption that regulation should not impose costs and obligations on business, social enterprises, individuals and community groups unless a robust and compelling case has been made to do so.**

B Guidelines for Developing and Assessing Regulation

1. **The policy need should be clearly articulated at the outset**
 - illustrate how the need relates to relevant policy goals
2. **Regulation should be the only effective and necessary way to meet the policy need**
 - a full range of regulatory and non-regulatory instruments and options is identified (e.g., do nothing; educate; improve information sharing; use the market; use financial or other incentives; self-regulate; voluntary codes of practice)
 - regulation is shown to be clearly and demonstrably superior to other alternatives
 - other alternatives are shown not to be effective in achieving a satisfactory outcome
 - assessment of alternatives is based on best available evidence
3. **Regulation should be a tempered response**
 - is proportionate to the issue being addressed
 - is targeted to the area of need
 - is the lightest form of regulation required to achieve the policy outcome
 - does not unduly burden those being regulated
 - takes into account the entire burden and impact of existing regulation on the regulated in considering the adoption of new regulation
 - is considered and predictable and, barring compelling urgency, is not a rushed response to current events

4. Regulation should be accountable

- the costs and burdens of regulation are measurable
- the impact of regulation is assessed before it is adopted and outcomes are monitored afterward
- regulators and the regulated are accountable for an effective regulatory system and compliance, respectively
- regulation and the measurement of its performance and impact is evidence-based, objective and free from bias
- existing regulation should be systematically reviewed for compliance with the Charter

5. Regulation should be accessible and easy to comply with

- the process of making and monitoring regulation represents affected parties and is transparent
- representations from affected parties are solicited and considered in a timely and meaningful way in making and monitoring regulation
- regulation does not introduce unnecessary complexity by duplicating legislation or conflicting or overlapping with other regulations, requirements or forms already in place
- regulation should be written to be understood and complied with by the regulated as opposed to serving the administrative or drafting convenience of the regulator
- regulation should not be harder to comply with than equivalent regulation in relevant jurisdictions
- regulation should consider the critical importance of strong customer service values and standards in achieving high regulatory performance

6. Regulation should consider economic impact

- promotes a fair and competitive market economy
- promotes ease of interprovincial commerce
- presumed not to have the effect of creating an obstacle to internal or international trade
- presumed that the measured cost or burden of new regulation is at least offset by a reduction in the cost or burden of existing regulation

7. Good regulatory governance

- the responsibility of regulating, and of demonstrating that regulation is justified under this *Charter*, is that of the department, agency or office whose mandate includes the policy need the regulation seeks to address
- the Office of Regulatory Affairs and Service Effectiveness is an independent advisory office of government, reporting to the Premiers, which oversees and advises on the application of the Charter and the adoption of regulatory best practices in Nova Scotia, New Brunswick and Prince Edward Island

