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Canada

Forward Regulatory Plan: 2024 to 2026, Treasury Board of Canada Secretariat

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Forward Regulatory Plan: 2024 to 2026, Treasury Board of Canada Secretariat

From: Treasury Board of Canada Secretariat

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Spending oversight

There are no regulations currently associated with the Treasury Board of Canada Secretariat's spending oversight core responsibility.

Administrative leadership

Amending the *Low-materiality Fees Regulations* | New

Title or working title of regulatory initiative

Amending the *Low-materiality Fees Regulations*

Enabling act(s)

Service Fees Act

Description

The *Service Fees Act* provides that the Treasury Board may make regulations respecting low-materiality fees that set out criteria for determining whether fees are considered low-materiality and when they cease to be low-materiality. The intent of the regulations is to provide a more cost-effective

way for departments to administer low-materiality fees. The *Services Fees Act* was amended in June 2023 and among the amendments were new provisions to allow the President of the Treasury Board to amend the regulations and to allow the Treasury Board to establish the factors within the regulations that the President of the Treasury Board must take into account when exercising the power to amend the regulations. This new authority is a measure to expedite and streamline the administration of changes to the *Low-materiality Fees Regulations'* schedules.

Key objective(s)

The regulatory amendment will establish the factors the President of the Treasury Board must consider when exercising the authority to amend the regulations under section 22(3) of the *Service Fees Act*.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not applicable in regard to this regulatory initiative.

Potential impacts on Canadians, including businesses

There would be no direct impact on Canadians, including Canadian businesses.

Consultations

Stakeholders affected by this proposal are limited to departments that are subject to the *Service Fees Act*. The factors included in the proposed regulatory amendment were applied and socialized with departments when the *Low-materiality Fees Regulations* were developed and came into force in 2019. These same factors were applied by departments to propose the current amendments to the schedules of the *Low-materiality Fees Regulations*.

No public consultations are planned as the proposed amendments are to streamline the administration of the regulations.

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Employer

Electronic documents and information regulations for the purposes

of the *Public Service Superannuation Act*

Title or working title of regulatory initiative

Electronic Documents and Information Regulations for the purposes of the *Public Service Superannuation Act*

Enabling act(s)

Public Service Superannuation Act

Description

Public Services and Procurement Canada is updating their web application to expand and enable more digital services to plan members. Greater digital service delivery will reduce paper-based forms, refine or eliminate associated manual processes and introduce automation where possible to provide members with an improved online experience. This is a response to plan members' rising expectations to be able to receive online services, the Government of Canada's strategy on digital services, and Public Services and Procurement Canada's desire to continue to provide excellent cost-effective services to all plan members.

The Electronic Documents and Information Regulations may be required to modernize the administration of the public service pension plan which otherwise expresses a bias towards the completion of administrative functions through paper-based processes. The *Public Service Superannuation Act* provides the authority to conduct business electronically, but there are no regulations that establish the parameters within which to provide and expand electronic service delivery.

Key objective(s)

To determine whether regulations are required to set parameters with respect to the use of electronic technologies and processes in the administration of the public service pension plan.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as they relate to the Treasury Board of Canada Secretariat's role as an employer.

Consultations

Consultations will be held with the Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Links to additional information

- *Public Service Superannuation Regulations (C.R.C., c. 1358)*

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This regulatory initiative was first included in the Forward Regulatory Plan: 2019 to 2021 and was updated in the Forward Regulatory Plan: 2023 to 2025.

For more information

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Amending the *Pension Benefits Division Regulations* (Reserve Force Pension Plan)

Title or working title of regulatory initiative

Amending the *Pension Benefits Division Regulations* (Reserve Force Pension Plan)

Enabling act(s)

[*Pension Benefits Division Act*](#)

Description

The *Pension Benefits Division Act* applies to legislated federal public sector pension plans and provides a mechanism for the division of pension benefits upon marriage or common-law relationship breakdown.

Regulations made under the *Pension Benefits Division Act* provide operational details, including form and manner of division applications, the calculation

of the maximum transferable amount, and the adjustment of the member's pension benefit after a division has been made. The Reserve Force Pension Plan was established following the coming into force of *Pension Benefits Division Regulations*. Amendments to these regulations are required to provide direction with respect to the Reserve Force Pension Plan.

Key objective(s)

To expand the provisions of *Pension Benefits Division Regulations* to cover pension benefits accrued under the Reserve Force Pension Plan.

This regulatory initiative is associated with the department's Regulatory Stock Review Plan: 2024 to 2034.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the Reserve Force Pension Plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as these issues are internal to the government and would apply only to the affected members of the Reserve Force Pension Plan whose circumstances would be described in the amendments.

Consultations

Draft regulatory amendments will be pre-published in the Canada Gazette, Part I, to provide an opportunity for public comment on proposed amendments.

Links to additional information

- [*Pension Benefits Division Regulations \(SOR/94-612\)*](#)

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Amending the *Public Service Superannuation Regulations* (optional

survivor benefit)

Title or working title of regulatory initiative

Amending the *Public Service Superannuation Regulations* (optional survivor benefit)

Enabling act(s)

Public Service Superannuation Act

Description

Amendments to the *Public Service Superannuation Regulations* are necessary as the regulations deal only with an election for the Optional Survivor Benefit in respect of a legally married spouse. Statutory amendments to expand this Optional Survivor Benefit election opportunity to common-law relationships were enacted in 2012, but the supporting regulations have not been made.

Key objective(s)

To deal with the operational details for an Optional Survivor Benefit election in a common-law relationship situation.

This regulatory initiative is associated with the department's Regulatory Stock Review Plan: 2022 to 2032.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses as this issue is internal to the management of the public service pension plan.

Consultations

The Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives, has been consulted on this initiative.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Links to additional information

- [Survivor benefit](#)
- [Public Service Superannuation Regulations \(C.R.C., c. 1358\)](#)

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This regulatory initiative was first included in the Forward Regulatory Plan: 2015 to 2017 and was updated in the Forward Regulatory Plan: 2023 to 2025.

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Amending the *Public Service Superannuation Regulations* (adaptations for part-time service, medical and evidentiary requirements modernization) | Updated

Title or working title of regulatory initiative

Amending the *Public Service Superannuation Regulations* (adaptations for part-time service, medical and evidentiary requirements modernization)

Enabling act(s)

[*Public Service Superannuation Act*](#)

Description

Amendments to the *Public Service Superannuation Regulations* are necessary to modernize the treatment of part-time service under the public service pension plan, as well as various aspects of administrative pension processes, such as the provisions respecting documenting proof of age and relationships (marriage and common-law relationships), and various provisions dealing with requirements for medical assessments.

Key objective(s)

To modernize and simplify the regulatory requirements to provide proof of age and proof of relationship to align with other government programs.

To amend the treatment of part-time service under the pension plan. This includes updating the method of calculation of the 35 years of pensionable service maximum to account for the pension benefit adjustments related to

such service, and providing for an optional additional pension treatment for part-time workers who accrue benefits during a temporary period of reduced pay.

To modernize medical assessment requirements to permit greater administrative flexibility and align with comparator plans.

This regulatory initiative is associated with the department's Regulatory Stock Review Plan: 2022 to 2032.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses as this issue is internal to the management of the public service pension plan.

Consultations

The Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives, has been consulted on this initiative.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Links to additional information

- [Survivor benefit](#)
- [Public Service Superannuation Regulations \(C.R.C., c. 1358\)](#)

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This regulatory initiative was first included in the Forward Regulatory Plan: 2015 to 2017 and was updated in the Forward Regulatory Plan: 2023 to 2025.

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Amending the *Public Service Superannuation Regulations* (transfer value date) | New

Title or working title of regulatory initiative

Amending the *Public Service Superannuation Regulations* as it relates to transfer values

Enabling act(s)

Public Service Superannuation Act

Description

Under the existing regulations, the valuation date used to calculate transfer values is prescribed as the date the transfer value is paid out.

This regulatory proposal will amend the valuation date, from the date of payment to the date of ceasing to be employed, in order to stabilize transfer value amounts and align with industry standards for the calculation of transfer values.

This proposal will also remove the pre-June 2016 definition of valuation day, which was not repealed when the definition was changed in 2016 due to an oversight.

Key objective(s)

To amend the valuation date of transfer values to stabilize transfer value calculations and remove the pre-June 2016 definition.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as the issue is internal to the management of the public service pension plan.

Consultations

The Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives, has been consulted on this initiative.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Links to additional information

- [*Public Service Superannuation Regulations \(C.R.C., c. 1358\)*](#)
- [Transfer value](#)

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- [Canada Gazette](#)

Amending the *Supplementary Death Benefit Regulations*

Title or working title of regulatory initiative

Amending the *Supplementary Death Benefit Regulations*

Enabling act(s)

Public Service Superannuation Act

Description

Amendments to the *Supplementary Death Benefit Regulations* are required as certain aspects related to naming and changing beneficiaries under the Supplementary Death Benefit plan no longer align with industry standards, plan member needs or technological advancements. Regulatory amendments will allow plan participants to name multiple beneficiaries and streamline the designation process by allowing plan participants to designate beneficiaries using electronic means in the future.

Key objective(s)

To modernize administration of the Supplementary Death Benefit plan to provide greater flexibility to better meet plan members' needs and align with industry standards.

This regulatory initiative is associated with the department's Regulatory Stock Review Plan: 2024 to 2034.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the Supplementary Death Benefit plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as the issue is internal to the management of the Supplementary Death Benefit plan.

Consultations

The Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives, has been consulted on this initiative.

Public consultations are not applicable as this issue is internal to the management of the Supplementary Death Benefit plan.

Links to additional information

- [Supplementary Death Benefit Regulations \(C.R.C., c. 1360\)](#)
- [Supplementary Death Benefit](#)

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This regulatory initiative was first included in the Forward Regulatory Plan: 2015 to 2017 and updated in the Forward Regulatory Plan: 2022 to 2024.

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Amending operational service provisions under the *Public Service Superannuation Regulations*

Title or working title of regulatory initiative

Amending operational service provisions under the *Public Service Superannuation Regulations*

Enabling act(s)

[*Public Service Superannuation Act*](#)

Description

The *Jobs and Growth Act, 2012*, implemented changes to the public service pension plan. Among the changes, a 50/50 employer/employee cost-sharing ratio was introduced and retirement age thresholds for new members (Group 2) joining the plan on or after January 1, 2013, increased by five years, which also included the thresholds for early retirement eligibility.

Several consequential regulatory amendments are required to the operational service provisions under the *Public Service Superannuation Regulations* to incorporate the Group 2 provisions under the *Public Service Superannuation Act*.

Key objective(s)

To align the operational service provisions under the *Public Service Superannuation Regulations* with amendments introduced via the *Jobs and Growth Act, 2012*.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as this issue is internal to the management of the public service pension plan.

Consultations

Consultations have been initiated with the Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Links to additional information

- [Operational service provisions](#)
- [Public Service Superannuation Regulations \(C.R.C., c 1358\)](#)

Departmental contact information

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This regulatory initiative was first included in the Forward Regulatory Plan: 2021 to 2023.

For more information

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Regulations deeming basic pay (salary) for the purposes of the *Public Service Superannuation Act*

Title or working title of regulatory initiative

Regulations deeming basic pay (salary) for the purposes of the *Public Service Superannuation Act*

Enabling act(s)

[*Public Service Superannuation Act*](#)

Description

The definition of salary under the *Public Service Superannuation Act* has evolved over time and was last amended in 1975 to encompass the basic pay received for the performance of the regular duties of a position or office, exclusive of any amount received as allowances, special remuneration, payment for overtime, other compensation or gratuities, unless that amount is deemed to be or to have been included in that person's basic pay pursuant to regulation. No regulations have been made in this regard. Given that basic pay has evolved over time, a regulatory framework is now required to standardize the forms of remuneration that are considered to constitute basic pay and to modernize pension plan provisions accordingly.

Key objective(s)

To introduce regulations deeming certain forms of remuneration to form part of basic pay (pensionable salary) for the purposes of the public service pension plan, thereby providing greater clarity, standardization of application and ease of administration.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as this issue is internal to the management of the public service pension plan.

Consultations

Consultations have been initiated with the Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Departmental contact information

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This regulatory initiative was first included in the Forward Regulatory Plan: 2021 to 2023 and was updated in the Forward Regulatory Plan: 2023 to 2025.

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Amending Schedule I to the *Public Service Superannuation Act* | New

Title or working title of regulatory initiative

Enabling act(s)

Public Service Superannuation Act

Description

The definition of public service under the *Public Service Superannuation Act* is supplemented by a list of participating organizations on Schedule I. Since organizations are established and dissolved as government priorities change, an order in council will be required to update the list of organizations on Schedule I and ensure that it accurately reflects the organizations that form part of the public service for the purposes of the *Public Service Superannuation Act*. This regulatory change will not affect the status of any organizations under the *Public Service Superannuation Act*.

Key objective(s)

To update Schedule I of the *Public Service Superannuation Act* to include all actively participating organizations not otherwise included in the definition of public service thereby providing greater clarity and ease of administration when determining which organizations participate in the public service pension plan.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the public service pension plan.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as this issue is internal to the management of the public service pension plan.

Consultations

Consultations will be initiated with the Public Service Pension Advisory Committee, comprised of employer, employee and retiree representatives.

Consultations with other departments and agencies will be initiated as required to collect information necessary to prepare the proposed regulatory change.

Public consultations are not applicable as this issue is internal to the management of the public service pension plan.

Departmental contact information

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Amending the Regulations Establishing Periods of Probation and Periods of Notice of Termination of Employment During Probation

Title or working title of regulatory initiative

Amending the Regulations Establishing Periods of Probation and Periods of Notice of Termination of Employment During Probation

Enabling act(s)

Public Service Employment Act

Description

Amendments to the *Regulations Establishing Periods of Probation and Periods of Notice of Termination of Employment During Probation* are necessary to reflect decisions by the Federal Public Sector Labour Relations Board with regard to leave without pay, as well as to align with the *Accessible Canada Act*, jurisprudence and the government priority to provide a work environment that is healthy, safe, barrier-free, respectful, fair and modern.

The regulations are under the *Public Service Employment Act* and establish periods of probation and periods of notice of termination of employment during probation.

Key objective(s)

To amend the provisions related to leave without pay to ensure all types of unpaid leave are excluded from the probationary period.

To amend the regulations so that they apply to all employees who require accommodation.

This regulatory initiative is associated with the department's Regulatory Stock Review Plan: 2024 to 2034.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not applicable in regard to this regulatory initiative as it is internal to the management of the public service.

Potential impacts on Canadians, including businesses

There are no expected impacts on Canadians, including businesses, as they relate to the Treasury Board of Canada Secretariat's role as an employer.

Consultations

Consultations may be held with employee representatives.

Public consultations are not applicable as this issue is internal to the management of the public service.

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This regulatory initiative was first included in the Forward Regulatory Plan: 2016 to 2018 and was updated in the Forward Regulatory Plan: 2020 to 2022.

For more information

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Regulations for Part VII, Advancement of Equality of Status and Use of English and French, of the *Official Languages Act* | New

Title or working title of regulatory initiative

Regulations on the Advancement of Equality of Status and Use of English and French

Enabling act(s)

[*Official Languages Act*](#)

Description

The *Official Languages Act* was created in 1969 and modified in 1988 to reflect the linguistic rights and principles entrenched in the Canadian Charter of Rights and Freedoms. In 2023, it was modernized again to respond to the changing language dynamics of Canadian society. Pursuant to the modernized *Official Languages Act*, Treasury Board, in consultation with

Canadian Heritage, must develop principles for the application of subsection 41(5) and 41(7)(a.1) of Part VII – Advancement of Equality of Status and Use of English and French – of the act dealing respectively with:

- positive measures to enhance the vitality of official language minorities and to foster the full recognition of English and French
- the protection and promotion of French and learning in the minority language
- the inclusion of linguistic obligations in agreements with provincial and territorial governments

Key objective(s)

The regulations will provide guidance and instructions to institutions subject to this part of the act. The regulations will also provide guidelines for Treasury Board in its enhanced compliance and monitoring role.

Regulatory cooperation efforts (domestic and international)

Regulatory cooperation is not required as this initiative is internal to the management of the *Official Languages Act*.

Potential impacts on Canadians, including businesses

It is expected that the new regulations will have a positive impact on English-speaking and French-speaking minority communities in Canada and on all Canadians. The new regulations will provide federal institutions with a more precise framework to support the development of official-language minority communities and foster the recognition and use of English and French, among other things.

Work will begin on a Regulatory Impact Analysis Statement, including a Cost-Benefit Analysis and Gender-based Analysis Plus, as early as spring 2024 so as to enable the identification of, and early engagement with, stakeholder groups and sectors that may be affected by the new regulations.

Given the targeted focus of the regulations, significant impacts on international trade or investment are not expected.

Consultations

Consultations will be two-fold:

- statutory consultations with Anglophone and Francophone minority communities on the draft regulations targeting summer 2024
- statutory consultations with stakeholders and the general public via the publication of the proposed regulations and Regulatory Impact Analysis Statement in the *Canada Gazette*, Part I, targeting winter and spring 2025

Final publication in the *Canada Gazette*, Part II, is anticipated to occur in fall 2025.

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For more information

Consult the Treasury Board of Canada Secretariat's [acts and regulations web page](#) for:

- a list of acts and regulations administered by the Treasury Board of Canada Secretariat
- further information on the Treasury Board of Canada Secretariat's implementation of government-wide regulatory management initiatives

Consult the following for links to the Cabinet Directive on Regulation and supporting policies and guidance, and for information on government-wide regulatory initiatives implemented by departments and agencies across the Government of Canada:

- [Developing and improving federal regulations](#)
- [Regulatory cooperation in Canada](#)

To learn about upcoming or ongoing consultations on proposed federal regulations, visit:

- [Consulting with Canadians](#)
- [Canada Gazette](#)

Regulatory oversight

Amending the *Red Tape Reduction Regulations* | Updated

Title or working title of regulatory initiative

Amending the *Red Tape Reduction Regulations*

Enabling act(s)

[*Red Tape Reduction Act*](#)

Description

The *Red Tape Reduction Act*, enacted in 2015, sets out requirements for federal departments and agencies to control the growth of administrative burden on business when developing regulations (that is, the one-for-one rule). The *Red Tape Reduction Act* stipulates that a review of the act must be caused five years after coming into force. This review was completed in December 2022 and is available at [*Report on the internal review of the Red Tape Reduction Act*](#).

The *Red Tape Reduction Regulations* set out the requirements for calculating administrative burden, reconciliation timelines, exemptions and public reporting. In 2018, through the Budget Implementation Act, changes were made to the *Red Tape Reduction Act* for the one-for-one rule to take into account regulatory cooperation between the Government of Canada and other jurisdictions. However, the amendment to the *Red Tape Reduction Act* must be brought into force and the *Red Tape Reduction Regulations* must be updated to reflect these changes.

Proposed amendments to the *Red Tape Reduction Regulations* would allow Canadian regulators to bank or offset administrative burden reductions resulting from other jurisdictions' regulatory amendments (for example, amendments to a regulation in the United States of America) if those reductions are a result of regulatory cooperation undertaken by the Canadian regulator. Additionally, the Treasury Board would be granted the authority to exempt, on a case-by-case basis, new regulatory proposals brought forward as a result of a formal regulatory cooperation initiative from the one-for-one rule.

The proposed non-substantive technical amendments would include updating the price year used to calculate administrative costs when applying the rule; the regulations currently use 2012 as the reference year. As well, the reference in the regulations to the Statistics Canada table that sets out the Consumer Price Index would be updated to reflect its new title.

Key objective(s)

The key objective of these proposed changes is to encourage Canadian regulators to pursue formal domestic and international regulatory cooperation arrangements to the benefit of Canadians and Canadian business. It is also to reflect and recognize the cost savings that are a result of these arrangements, when applying the one-for-one rule. Minor technical changes aim to, for instance, bring the calculation references up to date so that the values presented by the rule are more relevant to the current year.

Regulatory cooperation efforts (domestic and international)

The proposed changes relate to advancing and recognizing regulatory cooperation across the federal government.

Potential impacts on Canadians, including businesses

The *Red Tape Reduction Regulations* set out requirements to apply the one-for-one rule. As this regulation is internally facing to federal regulators, the changes are not expected to have direct impacts on Canadians or Canadian businesses. However, regulatory cooperation activities ultimately have a positive impact on businesses and consumers. Businesses benefit from cost savings and increased efficiencies as regulatory cooperation activities aim to eliminate duplicative requirements, streamline processes and adopt common standards across jurisdictions. Regulatory cooperation also increases consumer choice while maintaining or enhancing standards for environmental protection, public health and safety.

The planned technical changes are non-substantive as they relate to how regulators express the estimated cost of administrative burden on business. The amendments would have no impact on Canadians or Canadian businesses.

Consultations

Once proposed regulatory changes are determined, stakeholders will be invited to provide comments.

Links to additional information

Developing and improving federal regulations

- [Developing and improving federal regulations](#)
- [Red Tape Reduction Act](#)
- [Changes to the Red Tape Reduction Act amended by Parliament](#)
- [Annual Report for the 2021 to 2022 Fiscal Year: Federal Regulatory Management Initiatives](#)

Departmental contact information

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This regulatory initiative was first included in the Forward Regulatory Plan: 2018 to 2020 and was updated in the Forward Regulatory Plan: 2023 to 2025.

For more information

Consult the Treasury Board of Canada Secretariat's [acts and regulations web page](#) for:

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To learn about upcoming or ongoing consultations on proposed federal regulations, or on initiatives seeking to improve Canada's regulatory system, visit:

- [Consulting with Canadians](#)
- [Canada Gazette](#)
- [Let's Talk Federal Regulations](#)