



Contracting Policy Notice 2025-1: Amendments to the Government Contracts Regulations

Published: 2024-12-30

© His Majesty the King in Right of Canada,
represented by the President of the Treasury Board 2024,

Published by Treasury Board of Canada, Secretariat
90 Elgin, Ottawa, Ontario, K1A 0R5, Canada

Catalogue Number: BT12-10E-PDF
ISSN: 1491-591X

This document is available on the Government of Canada website, Canada.ca

This document is available in alternative formats upon request.

Aussi offert en français sous le titre : Avis relatif à la Politique sur les marchés 2025-1 : modifications au
Règlement sur les marchés de l'État

Contracting Policy Notice 2025-1: Amendments to the Government Contracts Regulations

From: Treasury Board of Canada Secretariat

Date: January 2, 2025

To: Senior Designated Officials for the Management of Procurement and Functional Heads of Procurement, Administration and Finance units at all departments

Subject: Amendments to the Government Contracts Regulations

Overview

The Governor in Council has approved changes to the Government Contracts Regulations (the regulations), which came into effect on December 16, 2024. The amendments and their explanations are detailed in the Canada Gazette. These amendments clarify longstanding procurement policy and practice.

The following types of contracts are now explicitly excluded from the requirements of the regulations:

1. A contract between the Government of Canada and a government entity (meaning a government of a province, a foreign state, a political subdivision of a foreign state, or a municipality; a Crown corporation or a corporation or agency wholly owned by one of these governments; or an intergovernmental organization established by two or more states, or an agency of such an organization).
2. A contract where a national security exception (NSE) is properly invoked in accordance with section 10(3) of the Canadian International Trade Tribunal Procurement Inquiry Regulations, or where the procedure set out in subsection 10(3) has been followed for those procurements indispensable to national security that are not covered by a trade agreement.

Application

As with all exempted contracts in section 3 of the regulations, the deemed terms (section 18 of the regulations) continue to apply.

Section 10(3) of the *Canadian International Trade Tribunal Procurement Inquiry Regulations* sets out that a NSE is properly invoked when it has been approved in writing by an assistant deputy minister, or a person of equivalent rank, who is responsible for awarding the designated contract prior to the day on which the contract is awarded.

Departments continue to be required to maintain the government's commitment to fairness, openness and transparency in the bidding process for contracts. Where a NSE is properly invoked, departments are expected to continue to prioritize consideration of competitive procurement strategies, to the maximum extent possible, while protecting the national security interests of Canada.

Departments are reminded of their obligations to ensure that decisions related to procurement, including decisions to use a non-competitive process, are fully justified and documented. Accurate and complete procurement documentation must be created and maintained in the contract file.

As with any procurement, departments are required to ensure that proper controls, oversight and processes are in place for contracting. Departments are advised to update their departmental procurement management framework to reflect the amendments.

Enquiries

Questions about this policy notice or the regulations should be directed to [TBS Public Enquiries](#).

Samantha Tattersall
Assistant Comptroller General, Acquired Services and Assets Sector
Treasury Board of Canada Secretariat

© His Majesty the King in Right of Canada, as represented by the President of the Treasury Board, 2025
ISSN: 1491-591X

Date modified:
2025-01-07