

Why We Count?

In 2001, the B.C. government committed to reduce the number of regulatory requirements by one third in three years. We exceeded our goal by a considerable margin, reducing the number by over 40% by 2004. We've continued to chip away at the body of regulations and have achieved an additional 11.6% reduction, bringing our total reduction to 47% compared with the 2001 baseline.

The regulatory count is an indicator of the overall regulatory burden on citizens and businesses in B.C. The count allows us to monitor our progress in simplifying legislation, regulations, policies and forms.

Definition

A regulatory requirement is an action or step that must be taken, or information that must be provided to access services, carry out business, or meet legal responsibilities under provincial legislation, regulation, policy, or forms.

Establishing the Baseline

In 2001, all ministries counted the regulatory requirements in their statutes, regulations, and associated policies and forms.

In total, 330,812 regulatory requirements were entered into a database to establish the baseline count against which to measure future progress.



Beyond the Baseline

By 2004, B.C. had achieved a 40.4 per cent reduction in its regulatory count, and established a new baseline of 197,242 regulatory requirements.

To ensure that this achievement was maintained, B.C. imposed a regulatory cap known as the Net Zero Increase commitment. Under this commitment, there can be no increase in the number of regulatory requirements until 2019. Each time a new regulatory requirement is introduced, one must be eliminated.

The Counting Process

Counting regulatory requirements is a process that requires thorough consideration of legislative language. No matter what the specific wording in legislation, regulation or policy, the actions resulting from the wording is what we take into account.

On the pages that follow you will find excerpts from different pieces of legislation or regulation that illustrate items that are counted and the rationale for the count, as well as examples of items that are not considered a regulatory requirement.

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What We Count

General Requirements are actions or steps that must be taken, or pieces of information that must be provided, to access services, carry out business or pursue legislated privileges. The words “must” or “shall” are strong indicators of a requirement.

Statute, Regulation, Policy or Form Provision	The Count
A person who holds a permit under this Act must produce it on	Count = 1 , must produce
The society [of cruelty to the prevention of animals] must notify	Count = 1 , must notify
A person must not move beekeeping equipment used in an apiary to a different place without a permit from an inspector.	Count = 1 , must have permit to move equipment
I declare in the information on this form is correct. X _____.	Count = 1 , signature validates form

Multiple Requirements may be listed within a single provision. Each piece of information or complete action is counted as one requirement.

Statute, Regulation, Policy or Form Provision	The Count
The notice [of intended sale] must state the <ul style="list-style-type: none"> a) name of the guest, boarder or lodger, b) amount of that person’s indebtedness, c) description of the baggage or other property to be sold, d) time and place of sale, and e) name of auctioneer. 	Count = 6 , must state: <ol style="list-style-type: none"> 1. name 2. amount 3. description 4. time 5. place 6. name of auctioneer
If the Society establishes a branch, it must promptly send the Registrar of Companies a notice setting out the date the branch was formed , the title of the branch , the locality and powers of the branch .	Count = 4 , must send notice setting out: <ol style="list-style-type: none"> 1. date 2. title 3. locality 4. powers

What We Count

Conditional Requirements apply when an optional course of action is pursued. To illustrate, getting a licence to drive a car in BC is an optional course of action, but you cannot drive without a licence. If you choose to get a driver’s licence, you must meet certain requirements (e.g. pass a road test).

Statute, Regulation, Policy or Form Provision	The Count
(1) A licensee may request the director to reconsider a decision or an order made under this Act.	Count = 1 (1) may request: is a voluntary action and is not counted
(2) On receiving a request for reconsideration, the director must reconsider the decision.	(2) must reconsider: is not a voluntary action and is counted
(15) An authorized agent may enter a [business] during regular business hours for the purposes of determining whether an animal is in distress on the premises.	Count = 1 (15) may enter: is a voluntary action and is not counted
(16) An authorized agent exercising a power under section 15 must , on demand, produce his or her certificate of appointment.	(16) must produce: is not a voluntary action and is counted

Options are when two or more parallel courses of action are offered, but only one must be taken. In the case of most options, because only one option must be taken, the set of options is equal to one requirement. Generally, the word “or” indicates an option.

Statute, Regulation, Policy or Form Provision	The Count
A person must not practice or offer to practice the profession of architecture unless the person a) is a holder of a current certificate of practice , or b) practices as authorized by this Act through an architectural firm that is a holder of a current certificate of practice.	Count = 1 , person is only required to meet one of the criteria

What We Do Not Count

Voluntary Actions usually speak to the rights endowed by the legislation, regulation or policy that may be exercised, if chosen. They are descriptions of liberties, entitlements or limits under legislation, not requirements. Voluntary actions are **not** counted.

Statute, Regulation, Policy or Form Provision	The Count
An inspector who believes on reasonable grounds that food...is contaminated or otherwise unfit for human consumption may seize the food or have it seized.	Count = 0 , may seize is a voluntary action and is not counted
The board is entitled to be a party to the hearing of the appeal and may take part in the proceedings.	Count = 0 is entitled: is a voluntary right and is not counted may take part: is a voluntary action and is not counted

Qualifiers describe how a requirement is to be undertaken or done. The requirement is counted, but **not** the qualifier. A qualifier can be removed without affecting the number of steps involved in a process or action.

Statute, Regulation, Policy or Form Provision	The Count
A host local government must notify, in writing , each potentially affected local government.	Count = 1 must notify: is not voluntary and is counted in writing: describes the format of the notification and is not counted
The Registrar must appoint a replacement for a period of not more than six months.	Count = 1 must appoint: is not voluntary and is counted for a period: describes the time limit on the appointment and is not counted

What We Do Not Count

Prohibitions - A requirement is an action that must be taken or information that must be provided. A prohibition, in contrast, is a required inaction. It is the opposite of a requirement and therefore **not** counted.

Statute, Regulation, Policy or Form Provision	The Count
The council must not implement , a resolution if to do so would constitute a breach of statutory duty.	Count = 0
A collector must not communicate or attempt to communicate with a debt- or in a manner or with a frequency as to constitute harassment.	Count = 0

Duplications occur when the same requirement is stated and then repeated elsewhere, usually in the associated regulation or policy or in another piece of legislation

Statute, Regulation, Policy or Form Provision	The Count
Act - "The board must make its final decision, with reasons, in writing and must make any final order in writing. "	Act Count = 1 , must make final order in writing
Regulation - "the boards final decision and reason must be in writing. "	Regulation Count = 0 , requirement is already counted in the Act
Policy - "(4) An applicant for a security worker licence or its renewal must meet all conditions, qualifications and requirements imposed by this Act and the regulation. "	Policy Count = 0 , all requirements are stated in the Act and the regulation and already counted