

Purpose

The Regulatory Reform Policy ensures that legislation, regulation, and associated policies and forms, meet the principles established and directed by Cabinet. It ensures that all new regulatory requirements are necessary, outcome-based, and not overly burdensome.

This policy also ensures that the Government of British Columbia (B.C.) meets its commitment of a net zero increase in regulatory requirements through to the end of 2019.

Track and Report

Continually measuring and monitoring progress is an important element of how the goals of regulatory reform are met in B.C. In 2001, an inventory of all regulatory requirements was created. Since 2001 this number has been reduced by 43 %.

To ensure the regulatory burden on citizens and businesses does not increase, a regulatory cap (zero net increase) was imposed. To meet this commitment there can be no overall increase in the number of regulatory requirements in B.C. until 2019.

When a new regulatory requirement is introduced, an existing requirement needs to be eliminated.

See [Measuring Progress](#) for more information.

To achieve this, ministries support public reporting by:

1. Maintaining a count of the number of regulatory requirements imposed by, or under the authority of, all Acts for which they are responsible (their count)
2. Updating the Regulatory Requirement Database, managed by Regulatory Reform BC, so it contains an accurate representation of their count, at any given time

See [How We Count](#) for more on the regulatory requirements count and instructions on how to count.

Useful Contacts

Regulatory Reform Branch
Ministry of Small Business and Red Tape Reduction
PO Box 9822 | STN PROV GOVT | Victoria, BC | V8W 9N3
Phone: 250-952-0164 | [Email](#) | [Web](#)

Apply the Regulatory Reform Principles

The following 5 principles are considered when developing and drafting all new or revised legislation, regulation, policy and forms. Special consideration of the impacts to small business and the economy should be given. Applying these principles will ensure all legislation, regulation, policy and forms are:

1. Needed and efficient

- It is the only effective and necessary way to achieve the desired outcomes.
- It compliments and does not duplicate legislation, regulation, policy and/or forms already in place.
- It is designed to be simple and efficient to administer and to comply with.

2. Outcome based and regularly reviewed

- Performance measures are used that directly relate to the desired outcomes.
- It will be reviewed regularly and amended to ensure intended outcomes are met. It will be repealed when it is no longer relevant.

3. Transparently developed and clearly communicated

- The reasons for it, as well as the process by which it is developed and implemented, are clear and open.
- It is easy to understand and written in plain language. Citizen and businesses can easily understand their rights and obligations.
- It is easily accessed by all target citizens. Appropriate and modern service delivery methods are used.

4. Cost effective and evidence based

- Analysis found it to be the most cost effective way of achieving the desired outcomes.
- The benefits to small business, the public, government, and/or the economy are greater than the burden it imposes.

5. Supportive of B.C.'s economy and small business

- It will not have a negative impact on B.C.'s economic competitiveness. It is not harder to comply with compared with other relevant jurisdictions.
- It fits with government's strategic goals for economic growth and sustainability. It supports job creation and families, as well as small, emerging, environmentally sustainable, and/or rural-based businesses, or at least is not a barrier to them.

How to Comply

There are three processes that ensure these policy objectives are met. One of the following will apply:

1. **Request for Legislation (RFL) Process** — ministries must do the following for all legislation that is submitted as a draft for Executive Council review:
 - Include a signed copy of the [Regulatory Criteria Checklist](#) or the [Regulatory Criteria Exemption Form](#) in all legislative Review Committee packages submitted to Cabinet Operations
 - For changes expected to increase the number of regulatory requirements, include a statement within the RFL template indicating that Regulatory Reform BC has been consulted and that offsets will be found

See the [Cabinet Operations website](#) for the [RFL](#) instructions and templates.

2. **Order in Council Process** — ministries must include the following in the Order in Council templates:
 - A statement indicating the Regulatory Reform Principles have been considered
 - An estimate of the expected change to the regulatory requirements count
 - For changes expected to increase the number of regulatory requirements, a statement indicating that Regulatory Reform BC has been consulted and that offsets will be found

See the [Cabinet Operations website](#) for [OIC](#) instructions and templates.

3. **Policy and Forms Process** — The Minister (or equivalent) responsible for the authorizing legislation and/or regulation is responsible to ensure the Regulatory Reform Principles have been applied to the planning, development, and drafting of all policies or forms.

When an increase or decrease to the Regulatory Requirements Count occurs as a result of new or revised legislation, regulation, policy or forms, ministries must:

1. Upload a copy of all [Regulatory Criteria Checklists](#) or [Regulatory Criteria Exemption Forms](#) to the Regulatory Reform BC SharePoint site.
2. Update the Regulatory Requirement Database to reflect the change.
3. Ensure all signed forms are accessible under the *Freedom of Information Act* and available to the public, upon request, at no charge.

The Forms

The Regulatory Criteria Checklist

The [Regulatory Criteria Checklist](#) is completed to demonstrate that:

- The Regulatory Reform Principles have been applied to the development and drafting of all new or revised legislation or regulation
- Regulatory Reform BC has been consulted on changes expected to increase the number of regulatory requirements
- Ministries understand the impact any new or amended legislation and regulations will have to the regulatory requirements count
- Ministries will offset increases to the count in order to maintain the zero net increase commitment
- Ministries are publically accountable for increases to the regulatory requirements count

Regulatory Criteria Exemption Form

Ministries may complete a [Regulatory Criteria Exemption Form](#), instead of a [Regulatory Criteria Checklist](#), if they can certify that the legislation or regulation satisfies one or more of the following conditions:

- Is housekeeping in nature, such as changes that clarify or correct without changing requirements (ex. changes to board members or schedules)
- Fee rate changes approved by Treasury Board
- Relates only to the procedures or practices of a court or tribunal
- Is required under national legislation or regulations, to which regulatory reform principles have been applied
- Is consolidated and revised under the revision powers in Part 2 of the Regulations Act Regulation
- Is transitional in nature
- Special circumstances, as identified by the responsible minister or head of the regulatory authority, make it impracticable to apply the Regulatory Reform Principles

Definitions

Legislation: A law of general application made directly by Parliament or a Legislative Assembly in the form of statutes (commonly known as “Acts”).

Plain Language: No technical, legal, bureaucratic or academic words or acronyms are used. Sentences are short, direct and use active voice at a grade 6 reading level.

Regulation: Subordinate legislation or a law of general application made by another body or person under the authority of an Act.

Regulatory Authority: A government agency that regulates in the public interest.

Regulatory Requirement: An action or step that must be taken, or piece of information that must be provided in accordance with government legislation, regulations, or associated policies and forms, in order to access services, carry out business or pursue legislated privileges.

Small Business: A business in B.C. with fewer than 50 employees.

Zero Net Increase: The Government of B.C.’s commitment not to exceed the number of regulatory requirements as counted in June 2004.