

Nigel Atkin

# Regulatory Reform *in* Canada?



**N**ot one day goes by without each and every one of us being affected by regulations in Canada.

The safety and quality of food are regulated by Health Canada and enforced by the Canadian Food Inspection Agency. Drugs and other medications and individual care products such as toothpaste and deodorants must meet Health Canada's stringent requirements before they can be sold to Canadians.

Transportation and all vehicle safety are regulated by Transport Canada. Environment Canada and Fisheries and Oceans Canada play an important role in this country's wildlife and natural habitat protection. Our marketplace is regulated in terms of competition, the quality and safety of products, managing waste, the importation of materials, and the exportation of products within Canada and internationally. Banks and other financial institutions are regulated as is the movement of people, goods, and capital across national borders.

In each area—health, safety, security, environmental, and other areas of protective regulation—glaring examples of diminishing protection to the people of Canada dominate our headlines at an increasing rate.

Toxic toothpaste, unsafe water, contaminated lettuce, unsafe meat, issues regarding genetically modified food and labelling have all made recent headlines. Bridge collapses in the United States and Canada forebode wide infrastructure failure. Transportation accidents involving agricultural workers, BC ferries, aircraft, recreational vehicles, and automobile recalls seem to generate news at the local, national, and international levels.

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The need for regulation in business, manufacturing, and in international securities is reinforced on a daily basis by reading and listening to the news. The crisis in our forests and fisheries, land, water, and air pollution—the death-by-a-thousand-cuts—that we witness is resulting in severe environmental damage and global climate change, of concern no longer to just the domain of a few hippies and do-gooders.

While most of us balk at the concept of increased regulation, issues of travel safety, SARS, tuberculosis, immigration, terror, fraud, lead-painted toys, food poisoning, and so on lead individuals to the conclusion that regulation is a vital component to a healthy and safe society.

With the rate of change in the world, where global markets affect us more than local markets, where the mobility of people and their professional skills increase the diversity of options, and where rapid technological and scientific advancements will impact us directly, the issue of regulation requires focused thought and intelligent action.

## Smart Regulation

There is a connection between regulation and the high quality of life enjoyed by Canadians and yet, at the same time, I observed an increasingly profound disconnect between the regulatory system and the 21st-century reality. I was deeply concerned that without rapid and significant change, Canada's ability to innovate and provide citizens with high levels of protection would be impaired.

Those words were written by the Chair of an external advisory

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committee that produced a report to the Government of Canada titled “Smart Regulation: A Regulatory Strategy for Canada.” To see the vision, principles, and proposed strategy and to access both the original document and progress reports on regulatory reform in Canada, Google “Smart Regulation: A Regulatory Strategy for Canada.”

The Cabinet Directive on Streamlining Regulation came into effect April 1, 2007. It introduced some improvements, including a comprehensive management approach with specific requirements for the development, implementation, evaluation, and review of regulations.

Despite this initiative, many local, national, and global regulators continue to scramble to come to grips with the forces of change incumbent with the dramatic effects of the Information Age.

The combined experience, knowledge, and wisdom resident in citizens, boards of directors, professionals, associations, governments, and all democratic institutions charged with oversight and regulatory authority drives the outcomes of sound practices, individual behaviour, and the results of regulatory decision-making at all levels. ▲

**Nigel Atkin, MA, is a communication instructor and advisor. He teaches at the University of Victoria and provides professional development services. Nigel is a national director of the Ethics Practitioners’ Association of Canada.**