22 October 2026

Scott Hutton
Secretary General
CRTC
Ottawa, ON K1A 0N2

Filed online

Dear Secretary General,

Re: ***Call for comments – Reducing red tape – Review of telecommunications reporting requirements*, Telecom Notice of Consultation 2026-259 (Gatineau, 6 October 2026) – request to suspend proceeding deadlines to enable CRTC to address the 21 October 2026 *Directive***

1. The Forum for Research and Policy in Communications (FRPC) is a non-profit organization established to advocate on behalf of the public interest in proceedings of the CRTC.

2. FRPC currently intends to participate in the above-noted TNoC 2026-259 "red tape" proceeding. Published on 6 October 2026, 2026-259 provides interested parties with 45 calendar days to submit comments (by 20 November 2026) and 108 calendar days to submit replies (by 22 January 2027).

3. Under the current *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* the Commission requires interveners in such consultations to address the facts alleged in the consultation, set out their clear support or opposition, state the decision sought, and to provide "relevant facts" along with interveners' grounds for their position on the matters raised by the consultation.[1] The *Rules* permit the Commission to

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[1] *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, s. 26 (*Rules*):

> (1) Any interested person may intervene in a proceeding in writing … within the time period set out in the notice.
> (2) The document of the interested person must
> …
> (d) admit or deny the facts alleged in the application;
> (e) clearly state whether the person supports or opposes the application and the nature of the decision sought;
> (f) contain a clear and concise statement of the relevant facts and of the grounds for the person's support for or opposition to the application and the reasons for the decision sought;
> …
> (i) include any other information that might inform the Commission as to the nature, purpose and scope of the intervention, and be accompanied by any supporting documents;
> ….

"vary" the *Rules* when "considerations of public interest or fairness permit",[2] and it "may exercise any of its powers under these Rules at the request of a party or interested person or on its own initiative."[3]

4. On 10 October 2026 FRPC asked the CRTC to amend the 2026-259 procedures by issuing an amended consultation notice setting out relevant information and by adding additional information to the 2026-259 public record. Our goal was to ensure that the 2026-259 public record was complete, thereby ensuring its procedural fairness to all parties.

5. Since then, however, the federal government has published a new *Cabinet Directive on Regulatory Competitiveness and Red Tape Reduction*.

6. In the pages that follow the Forum is again asking the Commission to amend the TNoC 2026-259 procedures – because by 31 December 2026 it will have to do so in any event to comply with the new *Directive.* The structure of FRPC's argument is set out below, for the convenience of readers:

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Appendix 1 Comparison of the 2026 and 2018 *Directives*

7. Briefly, FRPC proposes that the CRTC announce within the next two weeks that the imminent implementation of the new, *2026 Directive* imposes significant changes to the 2026-259 proceeding, because the Commission and the companies will require time to determine the evidence needed by the new *Directive*. By following the new *Directive*'s requirements for

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2 *Rules*, s. 7.
3 *Ibid*., s. 5(1).

making regulations "in a manner that is open to public scrutiny, outcome-focused, risk-based and evidence-based,"[4], the CRTC will uphold "transparency and public trust".[5]

8. The Commission could through an initial announcement explain that it will be amending the 2026-259 notice to suspend its deadlines and that it will also be inviting information through bilingual requests for information (RFIs) to obtain the new *Directive's* cost-related evidence for which answers would be due 8 January 2027. The Commission could then issue the amendment notice in the week of 26 October 2026. Adding relevant facts to the public record serves the public interest by enabling all parties to participate on a more informed basis, as the *Rules* encourage.

9. After issuing the first 2026-259 amendment, the CRTC could issue the second amendment to unsuspend the deadlines in January 2027, and announce the publication of the RFI answers it has received on Monday, 11 January 2027.

10. This second amendment could also reinstate comment and reply deadlines. As all parties will need more time to review and analyze a significant amount of previously unpublished evidence, FRPC is proposing that they be granted 13 more business days than the 32 business days now available for comments in the current 2026-259 notice or 45 business days in total: comments could be filed by 26 March 2027 (45 business days from 11 January 2027) and replies by 27 May 27 (30 business days from 26 March 2027). This timing serves the Commission's interest by enabling all interested parties to propose "streamlined, timely and accurate public reporting"[6] frameworks designed to achieve outcomes[7] that "advance the public-interest".[8]

11. In the remaining parts FRPC sets out its reasons and proposals in greater detail.

I. The 2026-259's 'playing field': more like the Niagara escarpment, really

12. On 16 October 2026, FRPC filed a procedural request in this proceeding asking the Commission to add to the public record the following: a list of its reporting requirements for telecommunications service providers, copies of or access to the forms or other documents they must complete, and links to the reports that TSPs have actually filed. (FRPC also asked the Commission to extend the -259 intervention deadline accordingly.[9]) FRPC's procedural request has at the time of this writing not been answered by the Commission.

13. Knowing what information the CRTC gathers and why this information is gathered is relevant to the 2026-259 proceeding – yet this notice of consultation does not actually set out that

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4 2026 *Directive*, section 4.3.
5 *Ibid*., section 4.3.1.
6 *Ibid*., section 4.4.4.
7 *Ibid*., section 4.2.3.
8 *Ibid*., section 4.1.
9 FRPC Procedural Request (Ottawa, 16 October 2026), Online: <https://applications.crtc.gc.ca/portail-portal/eng/listes-lists/public-proceedings/18#2026-259>

information. TNoC 2026-259 instead sends each group off to chase down a range of years-old CRTC decisions and to make of these what they will.

14. Moreover, two of the five questions in 2026-259 invite comments on reporting requirements that are not even identified.

15. Q3 asks "[o]ther than those identified above, are there other reporting requirements that could be simplified or removed without materially impacting regulatory oversight?" Q5 asks about "other telecommunications reporting requirements should form part of the Commission's red tape reduction exercise?" that might be reduced (or retained).

16. What are these other reports? Are they secret – and if so, why, and at whose request?

17. In truth only the CRTC – and neither the companies nor public- and consumer-interest organizations – is aware of the complete universe of its own reporting requirements, and to which types of TSPs they apply. By not providing a list of the CRTC's own reporting requirements – which it must know – 2026-259 effectively excludes public- and consumer-interest organizations as well as the companies from effectively participating in the 2026-259 consultation.

18. FRPC is also aware that the Commission maintains a Data Collection System, semi-annual and annual telecommunications surveys as well as the records of reporting requirements imposed by decision, policy, regulation, and order. Individual TSPs also know the requirements to which they are subject. Public- and consumer-interest organizations, however, can glean only a tiny amount of information about these reporting requirements from TNoC 2026-259, placing them at a significant, unnecessary and unfair disadvantage.

19. The enormous disequilibrium between the questions and evidence set out in TNoC 2026-259 was the state of affairs until Tuesday, 20 October 2026.

II. Change in circumstances of this proceeding on 21 October 2026

A. Cabinet Directive on Regulation: 2018 to 2026

20. In 2015 Parliament enacted the *Red Tape Reduction Act*.[10] Among other things, the statute sets out a one-for-one rule providing that a regulation must be repealed for each new regulation made that imposes administrative burdens on business.[11] It also enables the

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10 S.C. 2015, c. 12 (Assented to 2015-04-23).

11 Subsection 5(1):
Rule
Control of administrative burden
1) If a regulation is made that imposes a new administrative burden on a business, one or more regulations must be amended or repealed to offset the cost of that new burden against the cost of an existing administrative burden on a business.
Repeal of regulation

President of the Treasury Board to "establish policies or issue directives respecting the manner in which section 5 is to be applied."[12]

21. On 1 September 2018 the *Cabinet Directive on Regulation* entered into force (the 2018 *Directive*).[13] It applied to "all regulations that are or will be registered as such under section 6 of the *Statutory Instruments Act*, made by or with the approval of the Governor in Council, the Treasury Board, or a minister of the Crown."[14] It required "agencies … to comply with the One-for-One Rule and identify and estimate the cost of administrative burden impacts of regulatory proposals on Canadian businesses …."[15]

22. The 2018 *Directive* strongly encouraged "[r]egulation-making authorities in respect of all other regulations … to follow and apply this directive to the greatest extent possible".[16] It further stated that "[d]epartments and agencies are responsible for assessing the effectiveness and appropriateness of regulatory and non-regulatory instruments for achieving policy objectives".[17] It also stated that when developing a regulatory proposal "agencies are to consult when appropriate and engage stakeholders that may be affected, including Indigenous peoples and trading partners."[18]

23. 2018 *Directive* will no longer apply in 2027.

B. Cabinet's 2026 *Directive*: 31 December 2026 and going forward

24. On 21 October 2026, though, the President of the Treasury Board announced that a new directive will replace the 2018 *Directive*.

25. The ***Cabinet Directive on Regulatory Competitiveness and Red Tape Reduction*** (the ***2026 Directive***) replaces the ***2018 Directive*** on 31 December 2026.

26. The ***2026 Directive*** sets out requirements for regulatory authorities that are fundamentally different from the ***2018 Directive***, as shown by the side-by-side comparison of the *Directives* in the draft table set out in Appendix 1.

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(2) **If a regulation is made — other than one that only amends a regulation — that imposes a new administrative burden on a business, a regulation must be repealed, unless one has already been repealed in accordance with subsection (1).**

[bold font added]

12 *Red Tape Reduction Act*, section 6: "[t]he President of the Treasury Board may establish policies or issue directives respecting the manner in which section 5 is to be applied."

13 The *Cabinet Directive on Regulatory Management* entered into force on 1 September 2018: s. 9. It applied to all "statutory instruments that are established pursuant to legislative powers conferred under an act of Parliament that may result in the imposition of legal sanctions if they are contravened."

14 *Ibid*., section 2.0. ("Scope of application").

15 *Ibid*., section 5.2.4 ("Minimizing burden on business").

16 *Ibid*., section 2.0. ("Scope of application").

17 *Ibid*., section 5.1.2 ("Instrument Choice").

18 *Ibid*., section 5.1.4 ("Consultations prior to pre-publication").

27. But for certain exemptions,[19] the 2026 *Directive* applies to regulations registered under the *Statutory Instruments Act*, while "[r]egulation-making authorities in respect of all other regulations are strongly encouraged to follow and apply this directive."[20]

28. The 2026 *Directive* sets out six priorities, including changes by regulators to decrease "regulatory burden costs by $2 for every $1 added" over a three-year period that is to be defined.[21] In other words, **the 2026 *Directive* requires quantification of regulatory expenses and of any replacement measures**:

> 3.1 Use regulations only when required to achieve a desired public interest goal and justify them with a clear rationale for protecting the health, safety, security, social and economic well-being of Canadians, as well as the environment that considers risk, impact and cost;
>
> 3.2 Undertake and communicate the results of a dedicated assessment of competitiveness impacts for proposed regulatory measures;
>
> 3.3 **Offset $2 for every $1 increase in regulatory burden on business over a three-year period, as defined by the Treasury Board of Canada Secretariat**;
>
> 3.4 Support inter-jurisdictional alignment by considering and, where appropriate, adopting by default standards developed by recognized standards development organizations or public bodies; where supported by evidence and warranted in the public interest, international standards may be adapted for the Canadian context;
>
> 3.5 Review significant impact regulatory measures, as defined by the Treasury Board of Canada Secretariat, within five years of their coming into force and all other regulations at least once every 10 years to:
>
> i. ensure that regulatory measures are working as intended;
>
> ii. mitigate unintended impacts (for example, barriers to trade or innovation); and
>
> iii. identify new opportunities to reduce red tape for regulated parties
>
> 3.6 Remove outdated, inactive or no longer in effect regulations as quickly as possible, while taking into account regulators' mandates.
>
> [yellow highlighting added to 3.3, above]

29. Apart from changing Treasury Board's previous focus from decreasing regulations to decreasing regulatory-burden expenses, the 2026 *Directive* introduces several other changes.

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19 *2026 Directive*, section 2.2.

20 *Ibid*., section 2.1.
It is unclear whether 2.1 refers solely to regulations that are not registered under the *SIA* or to other regulation-resembling requirements such as conditions. As section 58 of the *Telecommunications Act* provides that guidelines and policies are not binding on the Commission, it is also unclear whether the *Directive* applies to CRTC information bulletins, other guidelines such as its *Guidelines for the Assessment of Costs* and Policies.

21 Treasury Board Secretariat, "Government of Canada launches new directive to reduce red tape and strengthen competitiveness", *News Release* (Ottawa, 21 October 2026).

It requires that registered or other regulations to achieve desired public interest goals;[22] the 2018 *Directive* merely suggested that regulators be guided by the idea of 'protecting and advancing the public interest and to protect good government.[23]

30. The 2026 *Directive* then also requires that regulators reduce regulatory burden and costs by

- Only removing "outdated, inactive or no longer in effect regulations" while taking into account regulators' mandates[24]
- Using regulations only when needed to achieve specific public-interest goals, justified by evaluating risk, impact and cost[25]
- Measuring the competitive impact of any proposed regulatory measures[26]
- Adopting existing, "default standards" of standards-development organizations or public bodies, including international standards when supported by evidence and the public interest[27]
- Objectively evaluate "significant impact regulatory measures" within five years to ensure the measures function as intended, reduce unintended consequences and to identify new opportunities to reduce "red tape for regulated parties"[28]

31. Moreover, the 2026 *Directive* requires regulators to 'encourage compliance',[29] measure risks so as to ensure that "regulatory intervention … is proportionate to the identified level of risk" for individual issues,[30] and consider regulatory impact on "diverse groups of Canadians".[31]

32. Insofar as regulatory process is concerned, 2026 *Directive* requires regulators to "comply with all applicable obligations to Indigenous Peoples". These include "the legal duty to consult and, where appropriate, accommodate Indigenous groups, the *United Nations Declaration on the Rights of Indigenous Peoples Act*, modern treaties, self-government agreements, historic treaties, and other relevant legally binding agreements."[32] Regulators such as the CRTC are to engage with Canadians, Indigenous people and others in a way that is transparent and that upholds public trust:

> [r]egulators will:

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22 2026 *Directive*, s. 3.1: "Use regulations only when required to achieve a desired public interest goal and justify them with a clear rationale for protecting the health, safety, security, social and economic well-being of Canadians, as well as the environment that considers risk, impact and cost…."; see also s. 4: as the first 'key regulatory principle',

23 2018 *Directive*, section 3.1

24 2026 *Directive*, section 3.6.

25 *Ibid*., section 3.1.

26 *Ibid*., section 3.2.

27 *Ibid*., section 3.4.

28 *Ibid*., section 3.5.

29 *Ibid*., section 4.1.1.

30 *Ibid*., section 4.1.1.

31 *Ibid*., section 4.2.2(ii).

32 *Ibid*., section 4.5.

> … [e]ngage with Canadians, Indigenous Peoples, business and stakeholders in a manner that upholds transparency and public trust …;
>
> [f]ocus on achieving intended outcomes of both regulations and regulatory regimes…; [and]
>
> … pre-publish in the Canada Gazette, Part I, with approval from the Treasury Board (Governor in Council) or relevant decision-making authority; or … request an exemption from pre-publication, where appropriate, from the Treasury Board (Governor in Council) or relevant decision-making authority[33]
>
> [d]evelop streamlined, timely and accurate public reporting[34] and forward regulatory planning, including digital tools for efficiency and ease of participation in regulatory regimes.[35]

33. Finally, the 2026 *Directive* states that "[r]egulators are responsible for … timely regulatory work" and shall be "aware of, understand and comply with this directive when developing, amending, implementing and reviewing regulations".[36]

34. 2026-259 is focussed on reducing the reporting requirements that telecommunications service providers must currently meet. The Notice clearly states the Commission's desire to 'do its part to reduce red tape',[37] while also "ensuring it has access to the information it needs to regulate effectively" (paragraph 3).

35. Yet, as noted earlier, 2026-259 does not list the specific reporting requirements it currently imposes on TSPs, identify specific forms or documents that TSPs must complete or provide specific online locations of reports filed by TSPs. TNoC 2026-259 instead describes reporting requirements without explaining what the specific requirements are or where the reports about these requirements are published.

C. Relevant evidence required by the 2026 *Directive* absent from 2026-259

36. Gaps in information and evidence in 2026-259 which might have been acceptable under the 2018 *Directive* are not acceptable under the 2026 *Directive*. Several of these are described briefly below, having to do with cost quantification, CRTC forms, regulatory requirements' impact on Canadians, proportionality estimates, alternative approaches and gaps in engagement.

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33 *Ibid*., s. 4.3.3 (i) and (ii).

34 The 2018 *Directive*, by contrast, encouraged agencies to "examine ways to: … reduce reporting and other administrative burdens, where possible": section 4.3

35 2026 *Directive*, section 4.4.4.

36 *Ibid*., sections 5.1 and 5.1.1.

37 See *e.g.* 2026-259 at paragraphs 2 ("the Commission is doing its part to reduce red tape"), 3 ("the Commission is examining how to streamline its collection of information from TSPs"; "the Commission's goal is to minimize administrative burden on TSPs"), 5 ("this proceeding will focus on seven reporting requirements that, in the Commission's preliminary view, could be simplified or removed immediately"), 15 ("collecting information on these plans is likely no longer necessary") and 19 ("[t]he Commission is seeking views on whether this reporting requirement could be removed or simplified").

1. Cost-quantification gap

37. TNoC 2026-259 frames "burden" as an abstract concept: it does not quantify the cost of any of the reporting requirements it proposes to eliminate or the cost of the complaints-based reporting mechanism it proposes to replace reporting requirements.

38. The 2026 *Directive*, however, specifically requires government departments and agencies to offset every $1 increase in regulatory burden on business with $2 of reductions and to base decisions on a regulatory impact analysis proportional to anticipated costs, benefits, and risks (sections 3.3 and 4.2.2).

39. The only parties that do not have this information or access to it are public- and consumer-interest organizations, including FRPC.

40. Yet while individual TSPs may know their costs of complying with the CRTC's reporting requirements, none could know the companies' total regulatory reporting requirements. It is unknown if the CRTC knows TSPs' reporting costs. Public- and consumer-interest organizations such as FRPC have no information about TSPs' reporting expenses.

41. Without quantitative expense data, public- and consumer-interest organizations in the 2026-259 proceeding will not be able to evaluate the proposed changes in terms of 2026 *Directive* or in terms of intended outcomes and, we suspect, both the Commission and the companies will be similarly disadvantaged.

2. Form- and report-costs gap

42. The CRTC is the only body with complete knowledge of its reporting requirements and the costs involved in collating information from these reports. 2026-259 does not list these reporting requirements or their costs.

43. Individual TSPs know what reports they complete and can estimate completion expenses to a reasonable degree, but cannot know aggregate expenses across telecommunications service providers.

44. Public- and consumer-interest organizations do not know any of these costs.

45. The 2026 *Directive* requires the Commission to bridge the existing empirical gap between regulation and regulatory expenditures. Baseline expense information must therefore be attached to every reporting requirement identified in the 2026-259 proceeding:

- **Data Collection System (DCS) reporting:** A blank or uncompleted version of each form that the CRTC requires companies to complete using its Data Collection System (DCS) must be placed on the 2026-259 public record: no reason exists to prevent the public from reviewing these forms. The Commission should then request each company to tally the expense it claims to complete each (identified) DCS form. To comply with the 2026 *Directive* the CRTC should then publish the companies' total,

average and median expense for each of its forms and publish this information in a table on the 2026-259 public record by 8 January 2027.

- **For manual filings (such as the Item vii "rule of three" filing):** A blank or uncompleted version of any form – or if no form is used, a list of the information requested by each manual filing requirement – must be placed on the 2025-259 public record. To comply with the 2026 *Directive* the Commission must request from each company the expense it claims to use to complete each filing over the year, including allocations of time, staff and expense to complete and submit the filing.
- **For all other reports:** To comply with the 2026 *Directive* each reporting requirement identified in paragraphs 9 to 19 of 2026-259 must be accompanied by a specific, objective expense value so that the Commission may publish the average, median and total expenses of individual TSPs, categories of TSP or TSPs overall.

46. If the Commission eliminates reporting requirements without knowing their costs, it will be impossible to determine if or ensure that its changes comply with the 2026 Directive. A $2-for-$1 offset cannot be made if the missing, invalid or unreliable data about the "$2" reduction in existing regulatory expenses renders the total meaningless or if the "$1" expenses of new regulatory requirements are based on inadequate, invalid or unreliable estimates.

47. Equally frustrating, no participant in the 2026-259 proceeding will be able to assess any changes proposed in the way that the 2026 *Directive* clearly desires: based on outcomes. Will proposed alternative measures such as complaints-based reporting *actually* reduce alleged expenditure burdens while achieving the same results as existing regulatory initiatives? Or will such alternatives merely *shift* the expenses to a third party not subject to CRTC regulation – such as the CCTS [38] – so that the work of this third or these third parties is essentially insulated from meaningful oversight.

48. To ensure the evidence-based, transparent review mandated by the 2026 *Directive*, the CRTC should suspend the deadlines in the 2026-259 proceeding before the current 20 November 2026 and minimize all parties' inefficient use of resources. An amended 2026-259 should list each the CRTC's telecom reporting forms and include a link to non-completed versions of these forms. The notice should then notify parties that the Commission may send some parties requests for information (RFIs) in both official languages[39] while the proceeding's deadlines are suspended, providing ample time for large and small companies alike to locate the answers.

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38 Assuming it survives recently revived arguments that neither the *Telecommunications Act* nor the *Broadcasting Act* empower the Commission to delegate responsibilities set out in those statutes regarding complaints to a third party like the CCTS.

39 To avoid the situation that has occurred in the past in which the CRTC circulated untranslated RFIs whose the English-language RFIs were different from the French-language RFIs.

3. Gap concerning impact on Canadians

49. Sections 1.1 and 3.1 of the 2026 *Directive* respectively refer to both "safeguarding" and "protecting the health, **safety, security**, **social and economic well-being of Canadians**, as well as the environment".

50. Yet 2026-259 frames red-tape reduction primarily in terms of an unquantified administrative burden imposed on the companies: it is silent as to whether objective data about telecommunications service providers' performance serves the public interest.

51. Publishing blank versions of its forms will enable interested parties to determine whether fewer or more questions related to Canadians' safety, security, economic well-being (including consumer costs) and social well-being are needed so as to comply with the 2026 *Directive*.

4. Proportionality gap

52. Section 4.2.2 of the 2026 *Directive* requires "a regulatory impact analysis that is proportional to the anticipated costs, benefits and level of risk associated with a regulatory action or inaction". Section 4.2.3 requires that regulations "achieve their intended outcomes over time while minimizing regulatory burden".

53. The Forum is unaware of the degree to which the CRTC has in its current possession documents that evaluate proportionality or risk. We note, however, that 2026-259 does not include a regulatory impact analysis. It does not assess the costs and benefits of eliminating the reporting requirements. Nor does it assess the risks associated with regulatory inaction.

54. Given the entry into force of the 2026 *Directive* at the end of 2026, FRPC recommends that a TNoC 2026-259 suspension amendment notice set out questions to elicit current information about these matters from the companies, with a deadline of 8 January 2027 for receipt of the information. Responses for which companies seek confidential treatment (if justified in terms of the public interest) should be aggregated by the Commission for the public record (with clear identification of the number and types of companies whose responses are being aggregated), without necessitating a procedural request from interested parties for that aggregation.

5. 'Alternative approaches' gap

55. TNoC 2026-259's Q2 asks about "any alternative approaches (e.g., complaints-based reporting, event-triggered reporting, or Data Collection System integration) that could help reduce the burden related to the reporting requirements listed" in -259 (in paragraphs 9 to 19). 2026-259 does not set out any information about existing alternatives or their expenses, however.

56. Meanwhile, the CRTC's own public-opinion research found that in April 2024 just 0.3% of respondents would try to approach the Commissioner for Complaints for Telecommunications Services (CCTS) if they had a complaint about their mobile, home phone, television or Internet

services. This information – set out in FRPC's comment in the 2025-274 proceeding – establishes that awareness of the current complaints-based telecom system – established roughly 20 years ago – is critically low: after operating for 20 years the CCTS was unfamiliar to 99.7% of those surveyed by the CRTC in 2024.

57. The CCTS does not publish its financial reports (such as income and expenses), making it impossible for public- and consumer-interest organizations to know whether its low awareness among those surveyed results from the inability to spend money on marketing: presumably its TSP members would have this information.

58. It is not even entirely clear which communities can benefit from the CCTS, as some communities are served by providers that are not CCTS participants: that gap would also need to be addressed by 2026-259 when considering alternatives.

59. The CRTC's having scheduled the CCTS-awareness proceeding (2025-274) and 2026-259 proceedings to run concurrently, however, the main result for 2026-259 is that no clear evidence is available about the expenses and outcomes of existing telecom alternatives.

60. The 2025-274 public process now in progress is currently expected to conclude by 13 November 2026. Suspending the TNoC 2026-259 intervention deadline until 22 January 2027 would provide the Commission and its staff time to review the evidence set out through the 2025-274 record to assess the efficacy of complaints-based reporting in light of the significant work that would have to be undertaken to ensure that at least a majority – say, 49.7% more than the 0.3% awareness level reported for Spring 2024 – of Canadians (not online survey respondents) are actually aware of complaints processes of which the CRTC approves. Parties could then submit their replies by in March 2027.

61. The CRTC should issue requests for information to the companies which should address the risk, impact and cost of achieving identified public-interest objectives in the 2026-259 proceeding, the competitive impact of proposed changes and the ways the Commission intends to objectively evaluate reporting requirements. The CRTC should obtain and public information about

- the ways in which companies, due to the Commission's telecommunications policies, guidelines and decisions, protect the safety, security, social and economic well-being of Canadians including Indigenous Peoples and
- the April 2025 – March 2026 expenses of companies to submit to the CRTC each form and each report to the CRTC, along with statements as to which information is also gathered for other federal, provincial or territorial departments or agencies (such as ISED or the Canada Revenue Agency).

62. This information set out above is needed by all parties – the companies, public- and consumer-interest organizations and the CRTC alike – to evaluate proposals to increase, maintain or reduce reporting requirements.

6. Engagement gap

63. The 2026 *Directive* requires regulators to engage with Indigenous Peoples "in a manner that upholds transparency and public trust and that is proportionate to the impacts of regulatory measures".[40] It also requires regulators to meet their duty to consult and to adhere to the *UN Declaration on the Rights of Indigenous Peoples Act*.[41]

64. TNoC 2026-259 does not, however, mention Indigenous Peoples. It does not describe any engagement with Indigenous communities. It does not assess the impacts of the proposed changes on Indigenous communities, including First Nations, Inuit, and Métis communities in rural, remote, and Northern areas.

65. But, as obliquely mentioned in 2026-259, the changes proposed by the CRTC may significantly affect Indigenous communities. Items *i* (paragraphs 9 to 10) and *ii* (paragraph 11) of 2026-259 concern quality of service reporting for local forbearance and small ILECs – which may serve many rural, remote, and First Nations communities.[42]

66. The notice of consultation therefore fails to address the engagement with Indigenous Peoples that the 2026 *Directive* will now require as of 31 December 2026.

67. Suspending the TNoC 2026-259 proceeding deadlines until 22 January 2027 will give the CRTC time to turn its mind to engaging with Indigenous communities and provide for this engagement in its 'unsuspension' notice.

III. Procedural requests

68. Subsection 5(1) permits the Commission to "exercise any of its powers under these Rules at the request of a party or interested person or on its own initiative" while section 7 enables the Commission to dispense with or vary these Rules" if it "is of the opinion that considerations of public interest or fairness permit".

69. TNoC 2026-259 was issued two weeks before the 2026 *Directive*.

70. The current deadlines in the -259 proceeding are:

20 November 2026	interventions, and
22 January 2027	replies.

71. The 2018 *Directive* consequently applies to the proceeding until 31 December 2026 while the 2026 *Directive* applies after that date.

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40 2026 *Directive*, section 4.3.1.

41 *Ibid*., section 4.5.

42 These paragraphs may touch on the services of satellite and wireless providers as well.

A. Suspension of 2026-259 proceeding

72. As shown by Appendix 1, the 2018 and 2026 *Directives* are very dissimilar and impose different obligations on the Commission, particularly with respect to serving the public interest, evaluating the expense of regulatory requirements and with measuring the impact of regulatory requirements.

73. The CRTC could vary the procedures of TNoC 2026-259 by amending the notice to inform interested parties that the proceeding will take place under the terms and requirements of the 2026 *Directive*. That *Directive* has not entered into force, however, and the possibility (rare as it may be) exists that it may be revised before its entry into force.

74. FRPC instead proposes that the Commission unsuspend the 2026-259 proceeding deadlines on or after 11 January 2027, for several reasons.

75. First, suspending the proceeding deadlines until 11 January 2027 will enable the CRTC to invite comments on and then to send the companies and public- and consumer-interest organizations requests for information so that the public record of the proceeding is supplemented by 11 January 2027 with the evidence that the 2026 *Directive* will require from the regulator effective 31 December 2026. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* permits the Commission to require parties to provide information "necessary to enable the Commission to reach a full and satisfactory understanding of the subject matter of the proceeding"[43] and parties may ask other parties for copies of documents to which the latter have referred.[44]

76. Any CRTC requests for information should be accompanied in all cases by a list of the data (variables or empirical concepts) that telecommunications service providers or categories of these providers use to report to the CRTC, with each new data point connected or linked to a publicly accessible copy of the form in which the data or empirical information is solicited.

77. Second, suspending 2026-259's deadlines until 11 January 2027 will enable the Commission to engage with First Nations and Indigenous communities, by contacting as many as possible to advise them about this proceeding, how its outcome may affect them and how they may participate.

78. Last, suspending the proceeding's deadlines – while explaining the rationale for the suspension – will enable public- and consumer-interest organizations to consider their

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43 *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, s. 28(a):
> The Commission may require a party … to provide information, particulars or documents that it considers necessary to enable the Commission to reach a full and satisfactory understanding of the subject matter of the proceeding ….

44 *Ibid*., s. 21(2)(d): "The notice must set out …in telecommunications matters, any permission granted by the Commission for a party to make a request for information from another party and the deadlines referred to in sections 73 to 76."

approach to the consultation in line with the 2026 *Directive* and to apply for (and then also to obtain) interim (or advance) costs of participating.

79. The evidence that the CRTC should require from the companies is discussed below.

B. Add information required by the 2026 Directive on the 2026-259 public record

80. The objective of the 2026 *Directive* includes providing "the efficiency and clarity needed for Canada to attract investment, support innovation and strengthen Canada's long-term competitiveness in a rapidly evolving global economy".[45] Section 4.1.3 directs regulators such as the CRTC to ensure that its "regulations and regulatory regimes are easy to navigate and understandable to regulated parties and the public" [underlining added]. Sections 4.1.2, 4.4.3 and 4.4.4 also refer to "administrative efficiency", "clear information" as well as "efficiency and ease of participation in regulatory regimes".

81. Existing CRTC reporting requirements include quality of service (QoS) indicators or conditions for incumbent local exchange carriers or ILECs (paragraphs 9 to 10), for small ILECs (paragraph 11) and for non-mandated services (paragraph 12): a list of these indicia in an amended TNoC 2026-259 would provide more clarity and understanding to FRPC and, we suggest, to other public-interest participant, particularly when it comes to evaluating whether these reporting requirements enable the Commission "to achieve a desired public interest goal" related to the "health, safety, security, social and economic well-being of Canadians".[46]

82. Similarly, 2026-259 refers to the "Manual interexchange private line 'rule of three' filing" (paragraphs 18 to 19), in reference to Telecom Order 99-434: as this Order does not refer to a 'rule of three' or a 'rule of 3', clarification of the meaning of this phrase in an amended TNoC 2026-259 would also provide more clarity and understanding to FRPC and, we believe, to other public-interest participants.

83. The CRTC is responsible for setting out the requirements for the reports it wants to receive from the companies. An amended TNoC 2026-259 suspension notice should list all the reports it receives or has requested to receive, showing beside each report the CRTC's reasons for requiring the report as well as the publicly accessible CRTC website page where these reports can be accessed by members of the public and public- and consumer-interest organizations. Providing this list– rather than in any decision or decisions resulting from 2026-259 – would reduce the expense that public- and consumer-interest organizations and other parties will each otherwise have to commit to 'reinventing the wheel' by locating unidentified telecom reporting requirements, while enabling these parties to undertake further research and analysis of these data: the overall objective of the 2026 *Directive*, after all, "is to advance a world-class regulatory system that protects the public interest while providing the efficiency

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45 2026 *Directive*, section 1 ("Objective and results").

46 *Ibid*., section 3.1

and clarity needed for Canada to attract investment, support innovation and strengthen Canada's long-term competitiveness in a rapidly evolving global economy."[47]

84. Supplementing the TNoC 2026-259 public record with evidence including the information described (not detailed) above would serve the public interest: the 2026 *Directive* establishes that the CRTC is required to make "evidence-informed" requirements,[48] while the only way to enable public- and consumer-interest organizations to participate both effectively and efficiently in this proceeding is to ensure that they have access to this evidence, either for individual companies or for a reasonable aggregation or aggregations of companies. (Small companies should not automatically be included with large companies, for instance, as any results may be misleading for both categories of company.)

C. Interim-costs notification

85. Finally, FRPC asks the Commission to amend the TNoC 2026-259 procedures by including a specific reference to the possibility that public- and consumer-interest organizations may apply for 'interim' or advance costs to participate in this proceeding.

IV. Summary of procedural requests

86. To summarize, the 2026-259 process has begun under the requirements of the *Telecommunications Act* and the 2018 *Directive*. The 21 October *Directive* will enter into force after 2026-259's deadline for interventions but before the deadline for replies.

87. As the two Directives' requirements are substantively different, parties drafting their replies for the current 22 January 2027 deadline will lack the evidence needed to respond as the 2026 *Directive* will then require. TNoC 2026-259 should therefore be amended so that its processes are as efficient as possible, and sparing all parties unnecessary costs.

88. FRPC therefore asks that the Commission

(a) immediately issue an information bulletin (or other form of announcement) that it will be suspending the deadlines in the TNoC 2026-259 proceeding deadlines until 22 January 2027 due to the imminent entry into force of the 2026 *Directive* and that it will be issuing an amendment to the 2026-259 notice of consultation within seven calendar days to clarify the terms of the suspension period;

(b) issue an amended 2026-259 notice before November 2026 stating that the CRTC will

(i) issue requests for information by 1 November 2026 for information to be filed by 8 January 2027 and published on the public record by 11 January 2027, which includes (though is not limited to):

- a list of its reporting requirements of telecommunications service providers

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47 *Ibid*., section 1.

48 2026 *Directive*, sections 1.2 and 4.3.

- copies of or access to the forms or other documents that TSPs must complete (before the forms are actually completed)
- links to the reports that TSPs have actually filed
- the aggregate, average and median industry expense per form and per report (by type and possibly size of company) and estimated expenses of alternatives to reporting such as a complaints-based mechanism, all of which are necessary to calculate the $2-for-$1 offset stipulated in the 2026 *Directive*, and
- RFI answers regarding the companies' regulatory expenses (aggregated, if the public interest in disclosure of individual companies' expenses is outweighed by the interests of individual companies, by type and size of company), and also

(ii) advise in the amended notice of extension that interested public- and consumer-interest organizations may apply for the reimbursement of their participation costs on an interim (advance) basis, no later than 15 November 2026 and that the Commission's decision on all such applications will be made no later than 15 December 2026 (to permit all interested public- and consumer-interest organizations to continue their work until 22 January 2027).

(c) issue a second amended 2026-259 notice on 11 January 2027 setting out a new deadline for comments regarding the TNoC 2026-259 process, providing interested parties with 45 business days to review and analyze the new evidence and to submit their comments, and 20 business days to reply to these.

Sincerely yours,



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Appendix 1 Comparison of the 2026 and 2018 *Cabinet Directives* regarding regulation

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
1. Objective and results	~~**1.0 Purpose**~~
The objective of this directive is to advance a world-class regulatory system that protects the public interest while providing the efficiency and clarity needed for Canada to attract investment, support innovation and strengthen Canada's long-term competitiveness in a rapidly evolving global economy.	~~The Cabinet Directive on Regulation (the directive) sets out the Government of Canada's expectations and requirements in the development, management, and review of federal regulations.~~
The expected results of this directive are as follows:	
1.1 Canada's regulatory system strengthens the country's competitiveness by enabling investment, innovation and economic growth while safeguarding the health, safety, security, social and economic well-being of Canadians, as well as the environment;	5.1.1 Issue identification ~~Departments and agencies are responsible for identifying public policy issues that are to be addressed. This includes~~ outlining risks to health, safety, security, the economy, and the social and economic well-being of Canadians and the environment and demonstrating through the best available evidence-and analysis that government intervention is needed.
1.2 Regulations are evidence-informed, proportionate and outcome-focused, achieving intended results while minimizing unnecessary regulatory burden and friction; and	~~[3]3. Regulatory decision-~~making is evidence-based:~~ Proposals and decisions are based on evidence, robust analysis of costs and benefits, and the assessment of risk, while being open to public scrutiny.~~
1.3 Regulations are part of a trusted, modern regulatory framework that provides strong protections for Canadians, respects the rights and considers the interests of Indigenous Peoples, and remains effective, responsive and fit for purpose.	
2. Scope of application	**2.0 Scope of application**
2.1 This directive applies to any regulations that are or will be registered as such under section 6 of the Statutory Instruments Act, made by or with the approval of the Governor in Council, the Treasury Board or a minister of the Crown. Regulation-making authorities in respect of all other regulations are strongly encouraged to follow and apply this directive.	This directive applies to all regulations that are or will be registered as such under section 6 of the Statutory Instruments Act, made by or with the approval of the Governor in Council, the Treasury Board, or a minister of the Crown. Regulation-making authorities in respect of all other regulations are strongly encouraged to follow and apply this directive to the greatest extent possible.
2.2 Exemptions, in part or in whole, may be provided by Cabinet, or the Treasury Board (Governor in Council), or the relevant regulation-making authority. Departments and agencies must consult with the Regulatory Affairs Sector at the Treasury Board of Canada Secretariat if they are considering seeking an exemption.	5.5 Exceptional measures Exemptions ~~from certain regulatory development requirements can be granted~~ by the Treasury Board (Governor in Council), Cabinet or the relevant regulation-making authority in cases of: ~~serious and immediate risk to:~~ ~~the health and safety of Canadians~~

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
	~~their security~~ ~~the environment~~ ~~the economy~~ ~~internal government reorganizations~~ ~~other exceptional circumstances~~ Departments and agencies must consult with the Regulatory Affairs Sector at the Treasury Board of Canada Secretariat if they are considering seeking an exemption ~~for an exceptional measure.~~
2.3 This directive is subject to applicable statutes, regulations and other government-wide policy instruments and international agreements. It does not alter authorities or fetter discretionary powers set out in those instruments, other Cabinet directives or other horizontal government requirements.	
3. Priority actions for red tape reduction	**3.0 ~~Guiding~~ principles of federal regulatory policy**
Regulators will seek to enable greater reductions in regulatory burden and costs to support competition, in part through the following actions:	
	~~It is the duty of the Government of Canada to respect Parliament and the authorities granted by Parliament, as expressed in legislation; and to ensure that regulations result in the greatest overall benefits to current and future generations of Canadians. In fulfilling this duty, departments and agencies are to be guided by four principles:~~
3.1 Use regulations only when required to achieve a desired public interest goal and justify them with a clear rationale for protecting the health, safety, security, social and economic well-being of Canadians, as well as the environment that considers risk, impact and cost;	[3]1. Regulations ~~protect and~~ advance the public interest and ~~support good government: Regulations are~~ justified by a clear rationale ~~in terms of~~ protecting the health, safety, security, social and economic well-being of Canadians, and the environment.
3.2 Undertake and communicate the results of a dedicated assessment of competitiveness impacts for proposed regulatory measures;	
3.3 Offset $2 for every $1 increase in regulatory burden on business over a three-year period, as defined by the Treasury Board of Canada Secretariat;	
3.4 Support inter-jurisdictional alignment by considering and, where appropriate, adopting by default standards developed by recognized standards development organizations or public bodies; where supported by evidence and warranted in the public interest, international standards may be adapted for the Canadian context;	

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
3.5 Review significant impact regulatory measures, as defined by the Treasury Board of Canada Secretariat, within five years of their coming into force and all other regulations at least once every 10 years to: ensure that regulatory measures are working as intended; mitigate unintended impacts (for example, barriers to trade or innovation); and identify new opportunities to reduce red tape for regulated parties	
3.6 Remove outdated, inactive or no longer in effect regulations as quickly as possible, while taking into account regulators' mandates.	
	[3]3. Regulatory decision-making is evidence-based: Proposals and decisions are based on evidence, robust analysis of costs and benefits, and the assessment of risk, while being open to public scrutiny.
	[3]4. Regulations support a fair and competitive economy: Regulations should aim to support and promote inclusive economic growth, entrepreneurship, and innovation for the benefit of Canadians and businesses. Opportunities for regulatory cooperation and the development of aligned regulations should be considered and implemented wherever possible.
4. Key regulatory principles	
Regulators should adhere to the following principles when developing, amending, implementing and reviewing regulations, related policies and guidance, and regulatory regimes. These principles are key to an effective, agile and trusted regulatory system that protects the health, safety, security, social and economic well-being of Canadians, as well as the environment and continues to respect the rights and interests of Indigenous Peoples.	
4.1 Regulations advance the public-interest while supporting economic growth, competitiveness and innovation through clear, effective, and predictable regulatory frameworks. Regulators will	
4.1.1 Enable regulatory intervention that is proportionate to the identified level of risk for an issue and that encourages compliance, including through appropriate monitoring and enforcement activities;	

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
4.1.2 Design, implement and maintain up-to-date regulations that advance interoperability and administrative efficiency across jurisdictions through regulatory cooperation and alignment; and	
4.1.3 Write regulations and policies so they remain clear and effective over time so as to account for technological innovation.	
4.2 Regulations are proportionate and fit for purpose. Regulators will:	
4.2.1 Consider the full range of policy instruments and non-regulatory approaches early in the policy development process;	
4.2.2 Base regulatory proposals and decisions on: a regulatory impact analysis that is proportional to the anticipated costs, benefits and level of risk associated with a regulatory action or inaction; and consideration of impacts on competitiveness and diverse groups of Canadians	[3]3. ~~Regulatory decision-making is evidence-based: Proposals and decisions are based on evidence~~, ~~robust~~ analysis of costs and benefits, and the assessment of risk, ~~while being open to public scrutiny.~~ 5.2 Regulatory Impact Analysis Departments and agencies must conduct a Regulatory Impact Analysis (RIA) on all regulatory proposals, ~~to support stakeholder engagement and evidence-based decision-making. In conducting a RIA, departments and agencies will comply with relevant acts, regulations, and Treasury Board policies, and adhere to guidance, tools, and directives, and are to engage with the Regulatory Affairs Sector at the Treasury Board of Canada Secretariat.~~ ~~RIA must examine potential positive and negative effects of a regulatory proposal on the health, safety, security, social and economic well-being of Canadians, businesses, and on the environment. RIA should include qualitative and quantitative analysis that is proportional to the expected impact of a regulatory proposal. Regulators must demonstrate that the~~ benefits to Canadians outweigh the costs. Departments and agencies must conduct an early assessment, known as a triage, of a regulatory proposal to determine its expected impact level and the appropriate mix of analytical requirements of the following elements: Stakeholders Examples of impacts considered

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
	Canadians Impacts on well-being (health, safety and security; ability to make informed choices) Impacts on consumers (cost of living, prices, quality and variety of goods available) Income Employment opportunities Businesses Costs of complying with regulatory requirements (including administrative burden) Changes in profit and revenue Business opportunities, growth and innovation Business sustainability Stakeholders Examples of impacts considered Government Costs to implement and administer regulatory programs (compliance and enforcement, outreach, data management, responding to events) Costs and benefits for other levels of government (provincial, territorial, Indigenous, municipal) Impacts on government revenue
4.2.3 Ensure that regulations achieve their intended outcomes over time while minimizing regulatory burden.	5.1.2 Instrument choice … Departments and agencies should seek to design outcome, or performance-based, regulations when appropriate, with a view to minimizing the amount of regulatory burden imposed on businesses and Canadians.
4.3 Regulations are made in a manner that is open to public scrutiny, outcome-focused, risk-based and evidence-informed. Regulators will:	[3]2. ~~The regulatory process is modern, open,~~ and transparent: Regulations, and their related activities, are accessible and understandable, ~~and are created, maintained, and reviewed in an open, transparent, and inclusive way~~ that meaningfully engages the public and stakeholders, including Indigenous peoples~~, early on.~~
4.3.1 Engage with Canadians, Indigenous Peoples, business and stakeholders in a manner that upholds transparency and public trust and that is proportionate to the impacts of regulatory measures;	
4.3.2 Focus on achieving intended outcomes of both regulations and regulatory regimes; and	
4.3.3 For all significant impact regulations, either:	

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must pre-publish in the Canada Gazette, Part I, with approval from the Treasury Board (Governor in Council) or relevant decision-making authority; or request an exemption from pre-publication, where appropriate, from the Treasury Board (Governor in Council) or relevant decision-making authority.	
4.4 Regulatory regimes are predictable, administered efficiently and are easy to navigate. Regulators will:	
4.4.1 Ensure regulations and regulatory regimes are easy to navigate and understandable to regulated parties and the public;	
4.4.2 Coordinate with other regulators and jurisdictions to reduce regulatory overlap and improve implementation outcomes;	
4.4.3 Provide clear information to regulated parties, when applicable, on how regulations and regulatory regimes enable them to innovate and safely introduce new products, services, processes and technologies to their business or to the market; and	
4.4.4 Develop streamlined, timely and accurate public reporting and forward regulatory planning, including digital tools for efficiency and ease of participation in regulatory regimes.	
4.5 Regulations and regulation-making processes must comply with all applicable obligations to Indigenous Peoples, recognizing distinctions among First Nations, Inuit and Métis and respecting their rights, customs and governance structures. The obligations include but are not limited to those arising from the following:	[See [3]2, above]
4.5.1 The legal duty to consult and, where appropriate, accommodate Indigenous groups;	4.1.2 ~~The Crown's~~ legal duty to consult ~~Where proposed regulations have the potential to adversely impact potential or established Aboriginal or treaty rights of the Aboriginal peoples of Canada under section 35 of the Constitution Act, 1982, departments and agencies must satisfy the Crown's~~ duty to consult and, where appropriate, accommodate those rights.
4.5.2 The United Nations Declaration on the Rights of Indigenous Peoples Act;	
4.5.3 Modern treaties, self-government agreements, historic treaties and other relevant legally binding agreements with Indigenous Peoples; and	
4.5.4 Policy requirements, including the Cabinet Directive on the Implementation of the Inuit Nunangat Policy, the Cabinet Directive on the	

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
Federal Approach to Modern Treaty Implementation and other applicable Treasury Board, Cabinet, or government-wide directives and policies.	
5. Roles and responsibilities	
Regulators and the Treasury Board of Canada Secretariat work collaboratively to maintain the federal regulatory system.	
5.1 Regulators are responsible for ensuring quality and timely regulatory work in accordance with their respective mandates, authorities and portfolios, for which they will:	
5.1.1 Ensure they are aware of, understand and comply with this directive when developing, amending, implementing and reviewing regulations;	
5.1.2 Follow Treasury Board of Canada Secretariat policies and guidance;	
5.1.3 Ensure that findings from required assessments are appropriately reflected in regulatory proposals, in a manner proportionate to the nature, scope and anticipated impact of the regulatory measure;	
5.1.4 Make decisions on how to consult on regulatory proposals, in accordance with legislative requirements and international obligations; and	
5.1.5 Report their results toward achieving the objective of this directive as directed by the Treasury Board of Canada Secretariat.	
5.2 The Treasury Board of Canada Secretariat is responsible for regulatory system oversight and supporting Treasury Board (Governor in Council) decision-making, regulators and regulation-making authorities, for which it will:	
5.2.1 Advise the Treasury Board (Governor in Council) in its decision-making role as the Special Committee of Council for Governor in Council submissions;	
5.2.2. Exercise any power, duty or function delegated by the President of the Treasury Board, subject to any terms and conditions established by the President;	
5.2.3 Establish policies, guidance, tools and processes over the regulatory lifecycle on any aspect of this directive;	
5.2.4 Provide regulators with timely expert policy and technical guidance, training, and interdepartmental coordination to support and monitor implementation of this directive;	

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
5.2.5 Support and advise regulators early in the legislative and regulatory proposal development process, as appropriate, to: support problem definition; assess non-regulatory, regulatory or legislative options; and obtain such advice, as appropriate, before a preferred regulatory approach is advanced;	
5.2.6 Review proposals and advise regulators on the quality of regulatory analysis, and whether the expectations set out in this directive have not been met; and	
5.2.7 Support regulatory innovation by regulators and other jurisdictions.	
	4.0 The regulatory life cycle approach
	[4] The regulatory life cycle approach requires departments and agencies to examine and analyze regulations through all stages of their life cycle, including: the development of regulations (section 5.0) regulatory management (section 6.0) review and results (section 7.0) During all stages of the regulatory life cycle, regulators must seek opportunities to: engage stakeholders, including Indigenous peoples pursue regulatory cooperation and regulatory alignment, where appropriate coordinate with all levels of government to minimize cumulative and unintended impacts of regulations on Canadians, business, and the economy 4.1 Consultations and engagement 1 4.1.1 Stakeholder engagement Departments and agencies are responsible for identifying stakeholders impacted by regulations, including Indigenous peoples, and meaningfully consulting and engaging with them throughout the development, management, and review of regulations. In doing so, they should follow the Government of Canada's policies and guidance for consultation and engagement. Departments

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	and agencies should document comments received throughout the course of any consultations and make these available to the public upon request. Departments and agencies should seek opportunities to use modern, digital, accessible and secure platforms and tools for consultation and engagement. Communication tools should support meaningful and inclusive consultation and engagement, with consideration given to any limitations on accessibility for stakeholders, including Indigenous peoples. Departments and agencies must follow the requirements for digital government and communication as set out in Treasury Board policies: the Policy on Communication and Federal Identity, the Policy on Privacy Protection, and the Policy on Official Languages, as well as their related directives and guidelines. 4.2 Regulatory cooperation and regulatory alignment Departments and agencies are to assess opportunities for cooperation with other jurisdictions, domestically and internationally, on regulations and associated regulatory activities. This includes examining alignment of regulatory approaches and outcomes with key trading partners, in order to reduce the regulatory burden on Canadian business, while maintaining or improving the health, safety, security, social and economic well-being of Canadians, and protecting the environment. Regulatory cooperation is a process for finding efficiencies across jurisdictions, reducing unnecessary regulatory differences, and achieving domestic policy goals, while aiming to facilitate trade and investment, promote economic growth and job creation, and increase consumer choice. A central pillar of regulatory cooperation is the maintenance or enhancement of standards of public health and safety and environmental protection. Regulatory alignment occurs when there is any agreement or arrangement, coordinated or otherwise, which reduces or eliminates differences between independent regulatory systems and regulatory activities, including inspections, certification, adoption of standards, and product and testing approvals. 4.3 Coordination

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
	Departments and agencies are responsible for working with each other to coordinate regulatory efforts within the Government of Canada when engaging with stakeholders, including Indigenous peoples. Departments and agencies should examine ways to: reduce regulatory duplication promote efficiencies share relevant information consider the cumulative impacts of regulations on stakeholders reduce reporting and other administrative burdens, where possible
	5.0 Development of regulations
.	At the beginning of the regulatory life cycle, departments and agencies determine the approach to address an issue, set objectives, undertake consultations with stakeholders, including Indigenous peoples, and analyze the risks, impacts, and costs and benefits of a regulatory proposal, in accordance with applicable policies, guidelines, and good regulatory practices. 5.1 Determination of regulatory approach 5.1.1 Issue identification Departments and agencies are responsible for identifying public policy issues that are to be addressed. This includes outlining risks to health, safety, security, the economy, and the social and economic well-being of Canadians and the environment and demonstrating through the best available evidence and analysis that government intervention is needed. Where there are threats of serious or irreversible damage or harm, lack of full scientific certainty must not be used as a reason for postponing cost-effective measures to prevent harm. 5.1.2 Instrument choice Departments and agencies are responsible for assessing the effectiveness and appropriateness of regulatory and non-regulatory instruments for achieving policy objectives. Departments and agencies should consult with potentially affected stakeholders, including Indigenous peoples, as part of the instrument choice exercise. Departments and agencies should also demonstrate that they have considered relevant domestic and international best practices as part of

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	the instrument choice exercise. Where relevant best practices exist, regulators should seek to identify opportunities to cooperate or align, in order to avoid or reduce duplication or unnecessary burden. [When appropriate, the results of an instrument choice exercise should be included as part of the Regulatory Impact Analysis Statement to demonstrate through evidence and analysis that a regulation is the best tool to achieve the desired public policy objectives. The instrument choice exercise should also begin to examine the costs and benefits of regulatory options to inform this decision. Departments and agencies should seek to design outcome, or performance-based, regulations when appropriate, with a view to minimizing the amount of regulatory burden imposed on businesses and Canadians. 5.1.3 Forward Regulatory Plan Departments and agencies should provide advance notice to stakeholders, including Indigenous peoples, on upcoming regulatory changes over a period of 24 months so that they can engage in regulatory development and plan for future regulatory changes at the earliest opportunity. Stakeholders should be given the opportunity to provide comments to departments and agencies on their Forward Regulatory Plans, once published, to inform the government on whether the regulatory priorities reflect the issues they face. Initial consultation on instrument choice should occur before a proposed regulatory change is formally incorporated into a Forward Regulatory Plan. Forward Regulatory Plans must be updated on an annual basis to outline departments' and agencies' plans for new regulations, regulatory amendments, repeals, and stock reviews. Regulatory proposals should be included in a Forward Regulatory Plan before being pre-published in the Canada Gazette, Part I. 5.1.4 Consultations prior to pre-publication During the development of a regulatory proposal, departments and agencies are to consult when appropriate and engage stakeholders that may be affected, including Indigenous peoples and trading partners.

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
	Departments and agencies are responsible for determining the size and scope of the consultations or engagement. Publication in the Canada Gazette, Part I (that is, pre-publication), is not a substitute for early consultation. 5.2.1 Analysis of benefits and costs Departments and agencies are to examine the potential positive and negative impacts of a proposed regulation and its feasible alternative options on Canadians, business, governments and the environment, and identify how impacts are distributed across the various parties. When it is not possible to quantify the benefits or costs, a rigorous qualitative analysis of costs or benefits in support of the regulatory proposal is required. 5.2.2 Effects on the environment Departments and agencies are to undertake a strategic environmental assessment of important effects, positive or negative, for each regulatory proposal when appropriate and in accordance with the Cabinet Directive on Strategic Environmental and Economic Assessment. 5.2.3 Gender-based analysis plus (GBA+) Departments and agencies are to undertake an assessment of social and economic impacts of each regulatory proposal on diverse groups of Canadians, in accordance with the Government of Canada's commitment to implementing GBA+. 5.2.4 Minimizing burden on business Departments and agencies are to comply with the One-for-One Rule and identify and estimate the cost of administrative burden impacts of regulatory proposals on Canadian businesses, as set out in the Red Tape Reduction Act and the Red Tape Reduction Regulations, with a view to minimizing this burden to the greatest extent possible without compromising the health, safety and security of Canadians, the environment or the economy. Departments and agencies are to also consider the impact of proposed regulations, specifically on small businesses to ensure that small businesses do

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	not unnecessarily bear a disproportionate burden when complying with regulations. 5.2.5 Regulatory cooperation Departments and agencies are to examine the regulatory systems of relevant jurisdictions, such as those of domestic partners or key trading partners, particularly those with whom Canada has a coordinated regulatory cooperation arrangement, to identify potential areas for alignment or cooperation. This assessment should also include a review of work undertaken by international standard development organizations for possible incorporation by reference. Where differences in approaches are required, departments and agencies must provide a rationale for a Canada-specific approach. 5.2.6 Incorporation by reference Incorporation by reference can be an effective tool in achieving regulatory outcomes. Departments and agencies should take into account potential opportunities for incorporation by reference of internationally accepted standards and/or regulations or other appropriate instruments. Departments and agencies should explain in the Regulatory Impact Analysis Statement why the technique is being used and how it achieves their regulatory objectives. When using this technique, departments and agencies must ensure that incorporated documents are accessible, as required by the Statutory Instruments Act, and are easily understood. Departments and agencies must also ensure that constitutional language obligations are respected, by incorporating material in both official languages, and that unilingual incorporation is used only when there is a legitimate reason to do so. Departments and agencies must regularly review incorporated material to ensure that these obligations are met and that the documents are up to date. 5.2.7 Modern treaty implications

THE 2026 *CABINET DIRECTIVE* ON REGULATION	The 2018 *Cabinet Directive* Red font: identical text in 2026 *Directive* ~~Strikethrough~~: indicates dissimilarities
	Pursuant to the Cabinet Directive on the Federal Approach to Modern Treaty Implementation, departments and agencies must undertake an Assessment of Modern Treaty Implications (AMTI). The law-making authorities and rights of modern treaty partners and self-governing Indigenous groups must be respected when developing and implementing a regulatory proposal. The Government of Canada must also ensure that it meets its obligations under modern treaties and self-government agreements. In the event that modern treaty implications are identified, departments and agencies should engage with implicated modern treaty partners and self-governing Indigenous groups on the findings of the AMTI. 5.2.8 International obligations Canada's international commitments in areas such as human rights, health, safety, security, international trade and the environment may need to be implemented by regulation, or may have implications for regulatory development, such as international consultation or notification requirements. Departments and agencies must ensure that Canada's international commitments are met when carrying out their regulatory activities. 5.2.9 Implementation Departments and agencies must plan for the implementation of the regulatory proposal as part of their analysis. This could include the examination of the following factors: implications for other jurisdictions (domestic and international) timing infrastructure requirements (for example, information management and information technology) fund sources compliance promotion and outreach training up-to-date guidance, technical documents, and enforcement plans This analysis could also include consideration of evaluation metrics. 5.3 Regulatory Impact Analysis Statement Requirements

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	Departments and agencies are to develop a Regulatory Impact Analysis Statement (RIAS) in accordance with the guidelines set out in the Policy on Regulatory Development. 5.4 Publication and consultation 5.4.1 Pre-publication and consultation Departments and agencies are to submit a regulatory proposal to be considered by the Treasury Board (Governor in Council), or the relevant regulation-making authority, for pre-publication in the Canada Gazette, Part I. Pre-publication of a regulation must include the draft regulatory text as well as a RIAS. The standard comment period following pre-publication is 30 days unless otherwise prescribed by legislative requirements and international obligations. A minimum comment period of 70 days may be required for consultations on proposals for new and amended technical regulations that may have a significant effect on international trade, consistent with Canada's obligations under the World Trade Organization's Technical Barriers to Trade Agreement. 5.4.2 Exemption from pre-publication Exemptions from pre-publication requirements may be granted by the Treasury Board (Governor in Council), or the relevant regulation-making authority, when there is no statutory requirement to pre-publish. In cases where a regulatory proposal is not pre-published, a brief rationale for the exemption must be included in the final RIAS, as a best practice. Departments and agencies must consult with the Regulatory Affairs Sector at the Treasury Board of Canada Secretariat if they are considering seeking an exemption. 5.4.3 Final publication In accordance with the Statutory Instruments Act, all approved regulations must be published in the Canada Gazette, Part II, after they are made and registered except where they are exempted under section 15 of the Statutory Instruments

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	Regulations (C.R.C., c. 1509). A RIAS must be included along with all published regulations. ...
	6.0 Regulatory management
	Departments and agencies are responsible for the ongoing management of regulations and their associated programs and activities in order to improve the effectiveness of regulatory programs in setting and meeting their objectives. Regulatory program activities may include: compliance and enforcement inspections and licensing compliance promotion activities and outreach data gathering measuring performance providing clear and transparent information and service to Canadians on regulations and regulatory and legal responsibilities 6.1 Enhancing predictability Departments and agencies are responsible for developing, publishing, and reviewing service standards for high-volume regulatory transactions that promote the timeliness of decision-making and provide Canadians with clear information on expectations for interactions and service. Departments and agencies are also responsible for developing and publishing guidelines for the public to help clarify regulatory requirements for stakeholders and improve information-sharing between the regulator and regulated stakeholders. 6.2 Compliance and enforcement Departments and agencies are responsible for promoting the effectiveness of their regulations through the development and implementation of compliance and enforcement strategies and programs. These strategies and programs should:

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	consider the use of risk-based approaches in the design and enforcement of compliance strategies ensure that resources are allocated to address the most significant risks avoid duplication by coordinating with federal departments and agencies, as well as with other levels of governments, where appropriate engage with the regulated communities on a proactive basis, with a view to improving compliance rates, as appropriate provide clear and up-to-date guidance on compliance with regulations
	7.0 Review and results
	The final stage in the regulatory life cycle is the review and assessment of the results of a regulation. Regulations are only one instrument within a program, and as such, a review of the effectiveness of a regulation in contributing to results cannot be viewed in isolation from the full program's objectives and results. Reviewing both regulatory programs and the regulatory stock allows departments and agencies to consider impacts and burden on impacted stakeholders, while ensuring that the health, safety, security, social and economic well-being of Canadians and the environment remains protected. 7.1 Reviews of regulatory programs Departments and agencies are responsible for evaluating the performance of their regulatory programs and are required to adhere to the Treasury Board Policy on Results and the Treasury Board Policy on Internal Audit. Outcomes of a review of a regulatory program could inform the review of the regulatory stock. 7.2 Reviews of the regulatory stock Departments and agencies must undertake a regular review of their existing regulatory stock, which should include technical guidance and other associated policies, in order to ensure that the regulations continue to be appropriate and effective, and achieve their intended policy objectives.

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	While undertaking a review, departments and agencies shall examine regulations, with a view to: removing obsolete or spent regulations from the stock as soon as practical determining the effectiveness of the regulations in achieving their stated objectives mitigating unintended impacts, such as barriers to trade or innovation ensuring that references to technical standards are accurate and, where appropriate, incorporate the latest version demonstrating that the regulatory objectives have been achieved in a cost-effective manner identifying new opportunities to reduce regulatory burdens on stakeholders, including through the identification of regulatory cooperation opportunities minimizing impacts on small business instituting other changes, as appropriate, to strengthen policy objectives and performance amending regulations to resolve enforcement issues identified through implementation Review plans for a department or agency's regulatory stock, as well as planned amendments to regulations identified as part of review processes, should be published on an annual basis in Forward Regulatory Plans. Results of a review should inform future regulatory development, thereby continuing the regulatory life cycle. Departments and agencies are responsible for establishing timelines to undertake a regular review of stock. The President of the Treasury Board has the authority to require departments and agencies to undertake specific reviews or participate in centrally led reviews. 7.3 Standing Joint Committee for the Scrutiny of Regulations

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	Departments and agencies must respond to issues raised by the Standing Joint Committee for the Scrutiny of Regulations (SJCSR) in a timely manner. Communications with the SJCSR should be responsive and constructive. Actions agreed to by departments or agencies should be implemented in a timely manner.
	8.0 Supporting policies
	The President of the Treasury Board has the authority to establish policy requirements in support of this directive. The Secretary of the Treasury Board has the authority to update references to relevant acts, regulations, policies, guides, and tools, which are referred to in this directive.
6. Coming into force	**9.0 Coming into force**
This directive comes into force on December 31, 2026 and replaces the 2018 Cabinet Directive on Regulation.	This directive will come into force on ~~September 1, 2018 , and replaces the Cabinet Directive on Regulatory Management, dated April 1, 2012 .~~

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