

# **Charter of Governing Principles for Regulation and Service Efficiency**

An agile and effective regulatory environment enables effective and efficient service. Leading jurisdictions adopt principles that guide regulators and improve service delivery.

The following statement of principles reflects Government's vision for regulatory and service efficiency and effectiveness in Nova Scotia.

## **A. Statement of Fundamental Intent on Regulatory and Service Efficiency and Effectiveness**

1. Regulation is a powerful and sometimes necessary instrument of public policy that can protect the public interest, support efficient and effective service, markets and protect consumers, workers, and the health, safety and environment of citizens and communities.
2. The Government will utilize regulation and make evidence-based decisions to meet or exceed the needs and expectations of the people we serve. This includes measuring the impact of decisions externally (on citizens and businesses) and internally (on public sector productivity and efficiency).
3. The Government will continually seek ways to achieve efficiencies, streamline processes and improve the public service.
4. The Government will regulate to achieve its policy objectives only
  - a. having demonstrated that satisfactory outcomes cannot be achieved by alternative self-regulatory or non-regulatory approaches;
  - b. where analysis of the costs and benefits demonstrates that the regulatory approach is superior to alternative, self-regulatory or non-regulatory approaches;
  - c. where the regulation and the enforcement framework can be implemented in a fashion which is demonstrably proportionate, accountable, consistent, accessible, targeted and predictable; and
  - d. where the regulation and associated process is consistent with the Guidelines set out in section B below.

## **B. Guidelines for Developing and Assessing Regulation and Enhancing Service Efficiency**

The following are guidelines for the development and assessment of regulation and enhancing service efficiency:

### **1. The policy need should be clearly articulated at the outset**

- illustrate how the need relates to relevant policy goals, including enhancing service and internal efficiencies where applicable

### **2. Regulation should be the most effective and necessary way to meet the policy need**

- a full range of regulatory and non-regulatory instruments and options is identified (e.g. do nothing; educate; improve information sharing; use the market; use financial or other incentives; self-regulate; voluntary codes of practice)
- regulation is shown to be clearly and demonstrably superior to other alternatives
- other alternatives are shown not to be effective in achieving a satisfactory outcome
- assessment of alternatives is based on best available evidence

### **3. Regulation should be a tempered response**

- is proportionate to the issue being addressed
- is targeted to the area of need
- is the lightest form of regulation required to achieve the policy outcome
- does not erode service quality or unduly burden businesses or citizens being regulated
- takes into account the entire burden and impact of existing regulation on the regulated in considering the adoption of new regulation
- is considered and predictable and, barring compelling urgency, is not a rushed response to current events

### **4. Regulation should be accountable**

- the internal and external costs and burdens of regulation are measurable
- the internal and external impact of regulation is assessed before it is adopted, and outcomes are monitored afterward
- regulators and the regulated are accountable for an effective regulatory system, compliance, and for advancing service and internal efficiencies where applicable
- regulation and the measurement of its performance, impact and service efficiencies is evidence-based, objective and free from bias
- existing regulation should be systematically reviewed for compliance with the Charter

## **5. Regulation should be accessible and easy to comply with**

- the process of making and monitoring regulation represents affected parties and is transparent
- representations from affected parties are solicited and considered in a timely and meaningful way in making and monitoring regulation
- regulation does not introduce unnecessary internal or external complexity by duplicating legislation or conflicting or overlapping with other regulations, services, requirements or forms already in place
- regulation should be written with the user experience in mind, in that it is to be understood and complied with by the regulated
- regulation should not be harder to comply with than equivalent regulation in relevant jurisdictions
- regulation should strive to improve service efficiency and consider digital or technological solutions wherever possible

## **6. Regulation should consider impact**

- promotes a fair and competitive market economy
- promotes ease of interprovincial commerce
- promotes internal efficiencies and service delivery improvements
- presumed not to have the effect of creating an obstacle to internal or international trade
- presumed that the measured cost or burden of new regulation is at least offset by a reduction in the cost or burden of existing regulation

## **7. Good governance**

- the responsibility of regulating, and of demonstrating that regulation is justified under this Charter, is that of the department, agency or office whose mandate includes the policy need the regulation seeks to address