

**Law Amendments Committee  
December 7, 2015  
Regulatory Accountability and Reporting Act  
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Madam Chair, members of the Law Amendments Committee...

Last Wednesday, the Nova Scotia government took a significant step forward to change the way business is done in Atlantic Canada. The Premier, in his role of the Minister Responsible for Regulatory Affairs and Service Effectiveness, tabled the legislation we are speaking to this afternoon.

It is my contention this legislation could reasonably be described as 50 years in the making. You'd think it might have made a bigger splash in the media. However, red tape reduction and/or regulatory reform isn't sexy. It's hard to get even the wonkiest of policy aficionados worked up over the idea.

Beyond legislative assistants and clerks, and an assortment of folks in this room today, when you bring up regulatory reform, most politicians eyes glaze over like a classical fiction major in statistics class. It's probably why this regulatory reform legislation received only passing mention in the media alongside last week's edition of public sector union outrage and predictions of a mild winter.

However, this tiny, perfect bill, crafted by Fred Crooks and his folks at the newly formed Office of Regulatory Excellence and Service Effectiveness, has the potential to be a landmark Act in the economic history of not just Nova Scotia, but also the Maritimes and perhaps all of Atlantic Canada.

Anyone who has followed the activities of the Canadian Federation of Independent Business (CFIB) will know the red tape could be described as one of our obsessions.

CFIB fervently frets over red tape because regulatory compliance consistently comes in at the top of the list of serious concerns for small- and medium-size enterprises (SMEs). As an organization, we take our marching orders from our members. Red tape is a "red meat issue" for small business because it hits the bottom line.

Small businesses usually don't have compliance officers or legal affairs departments to deal with regulation. Most entrepreneurs spend their nights, after supper, figuring out how to manage Worker's Compensation claims, Occupation Health and Safety Requirements, Canada Revenue filings and the remaining avalanche of government paperwork of dubious usefulness.

It is particularly difficult and annoying when trying to do business between provinces where regulatory inconsistencies can make a small business owner tear out what's left of their hair. This is why this week's legislation is particularly good news.

As part of the agreement between establishment of the Joint Office between PEI, New Brunswick and Nova Scotia, each government has committed to enact mirror legislation. This means is the establishment of a consistent legislative and regulatory framework between the three Maritime Provinces.

Well, so what? In fact, this may be an historic opportunity. Since the days Louis Robichaud, Alex Campbell and Robert Stanfield mulled over the idea of Maritime Union, there have been various visions of knocking down the borders between the Maritime Provinces to create administrative efficiencies and more fluid and porous interprovincial boundaries.

The Maritime Union ideas has been trotted out on various occasions...and predictably, thoroughly trounced by parochial interests, self-interested politicians and an ambivalent bureaucracy looking to protect provincial turf.

But this legislation isn't some grandiose vision of one Atlantic political entity.

It's much more practical than that. This new legislation and the creation of a joint office may turn out to be just the chisel to loosen the mortar of the regulatory walls that have been building between our Atlantic Provinces over the past century.

The old management axiom says "if it can't be measured it can't be managed."

This legislation has committed to measure, manage and publicly report on red tape reduction. It has the all-important accountability framework built in as a pillar of the process. This will give those who have an interest in freer trade between the provinces a tool to measure progress.

It has taken the establishment of broad international trade agreements (CETA, TPP) to open our politician's eyes to the reality that business in other countries may, in some cases, now have more favourable trade arrangements than business in neighbouring provinces.

This important legislation is the first step in breaking down those inter-provincial trade barriers and add an important cog in the machinery of regional economic prosperity. This legislation ain't sexy, but it sure is newsworthy.

There is no one silver bullet that will fix the economic malaise the Maritimes have struggled with over most of my lifetime. The solution will come in the form of a suite of initiative which will encourage and nurture the entrepreneurial spirit of our region and get government out of the way of prosperity.

CFIB also acknowledges the significance of Nova Scotia's initiative to streamline the processes it imposes on individuals and business through efforts at Service Nova Scotia.

These business facing efforts are needed and welcome...however, CFIB supports this legislation because it adds the discipline to the practice of ongoing measurement of the progress to reduce the regulatory burden.

Having implemented other metrics to track government performance, the government has already embraced the type of public accountability it should now adopt in the area of regulatory reform.

While the specifics of this plan have not yet been identified, we encourage any proposed measurement model to be open and transparent, with the emphasis on reducing the red tape and paper burden on small businesses.

CFIB has long advocated for regular public reporting on regulatory measures.

Taking this a step further and legislating the requirement to report measures will make public accountability even stronger.

Our members have asked for this and the government is delivering exactly what we have asked for. I'm not entirely sure given the opportunity CFIB could have drafted it any more to our liking.

We encourage the legislature to make this the law of Nova Scotia at its earliest convenience.