



**CANADIAN
FREE TRADE
AGREEMENT**

**ACCORD DE
LIBRE-ÉCHANGE
CANADIEN**

**Canadian Free Trade Agreement (CFTA)
Regulatory Reconciliation and Cooperation Table**

**IDENTIFICATION AND MUTUAL RECOGNITION OF
REGULATORY MEASURES RELATED TO THE SALE OR
PROVISION OF GOODS AND SERVICES**

**Request for Information (RFI)
Inventory of Canadian Regulatory Measures**

April 20, 2023

1. SUMMARY AND OVERVIEW

On behalf of the Regulatory Reconciliation and Cooperation Table (RCT), the Internal Trade Secretariat (ITS) is requesting information from suppliers to prepare an inventory of federal, provincial, and territorial regulatory measures governing the sale or provision of goods and services. This inventory will support the RCT's work regarding the mutual recognition of such regulatory measures.

1.1 Background

An intergovernmental trade agreement between the federal, provincial and territorial (FPT) governments of Canada, the CFTA's objective is to reduce and eliminate, where possible, barriers to the free movement of persons, goods, services, and investments within Canada and to establish an open, efficient and stable domestic market.

The CFTA creates several forward-looking initiatives, including the establishment of a Regulatory Reconciliation and Cooperation Table (RCT). The RCT works to address internal trade irritants (or frictions) that result from variations across the regulatory measures maintained individually by Parties.

1.2 Identification of regulatory measures

In Canada, FPT governments regulate the sale or provision of goods and services through a range of different regulatory measures.¹ The potential impact of the regulatory requirements that emerge from these measures has been identified as an area of focus for the RCT.

The objective of this work at the RCT is:

The identification and mutual recognition of regulatory measures, such that any good or service that may legally be sold or provided in the jurisdiction of one Party may legally be sold or provided in the jurisdiction of all other Parties, without further material requirements, unless specifically listed as an exclusion.

In an effort to better understand such potential impacts, the RCT has been exploring the availability of existing tools to identify relevant regulatory measures. No tool appears to be readily available at this time, and as such, the RCT is considering commissioning the preparation of such tool.

¹ Per the CFTA, a regulatory measure “includes any decree, regulation, standard, order, requirement, procedure, process, assessment, legislation, or other instrument, with the exception of occupational standards”.

1.3 Approach & Expectations of Planned Solution

To help jurisdictions identify the different regulatory requirements that emerge from regulatory measures governing the sale or provision of goods and services, and assess the implications of potentially mutually recognizing them, the RCT wants to develop an inventory of regulatory measures. The resulting inventory, at a minimum, is intended to do the following:

- a. Identify all existing regulatory measures, as defined in the CFTA, of federal, provincial, and territorial governments that impose requirements ("regulatory requirements") relate to the sale or provision of goods and services, including those that delegate, or allow for the delegation of regulatory authority regarding those sales.. Identify the specific measure and the applicable text of all regulatory requirements (with references to specific section, paragraph, and sub-paragraph) within those measures; and
- b. Compile the regulatory measures and the associated regulatory requirements of each Party in a format that can be searched, updated, and maintained independently.

The inventory is also expected to be:

- a. Provided to the RCT in a non-proprietary format and manner;
- b. Simple, easy to understand, flexible and adaptable;
- c. In a form and manner that can facilitate the comparison of regulatory requirements for mutual recognition purposes; and
- d. Completed by December 31, 2023 and with limited financial costs.

2. OBJECTIVES OF THE RFI

The purpose of this RFI is to seek information from respondents on the ability to identify and develop an inventory of federal, provincial, and territorial regulatory measures related to the sale or provision of goods and services.

Whilst the RCT has been conducting its own research on the topic, this RFI represents an opportunity to learn in greater detail about the feasibility and capabilities of different solutions. The responses to this RFI will help support the development of the requirements of a potential subsequent request for proposals.

The information sought from the respondents to this RFI includes:

- a. Best practices to identify all existing FPT regulatory measures (as defined in the CFTA) that impose regulatory requirements relating to the sale or provision of goods and services, including those that delegate, or allow for the delegation, of regulatory authority regarding such requirements;
- b. The methods that could be used to ensure the information captured in the inventory is comparable, comprehensive, and reliable;

- c. At what stage during the process, or to what extent, if any, would working with RCT members or other government officials assist in the completion of the inventory;
- d. What is required to prepare a comprehensive inventory of the relevant measures and the associated regulatory requirements of each Party that can be searched, updated, and maintained by the Parties;
- e. Identification of any non-proprietary, programs or tools that would assist in preparing the inventory;
- f. How the inventory could be structured to facilitate the comparison of regulatory requirements applicable to similar goods or services, which may be found in various instruments and may be inconsistent across Parties in terms, vocabulary or coverage;
- g. Whether the manner in which the regulatory measures are stored impact the completion of the work (e.g., HTML, XLE or other electronic format);
- h. What would be required to complete the project by December 31, 2023;
- i. Any alternative strategies or solutions to complete the inventory; and
- j. Any additional or critical information needed to respond to any subsequent solicitation that may be issued.

Please note: This RFI is not: (i) a tender notice or call for tenders; (ii) a notice of intended procurement; or (iii) a notice of planned procurement.

3. OBLIGATIONS

If a subsequent competitive bidding opportunity is issued, the ITS or RCT are under no obligation to advise any respondent of this RFI. Respondents are advised to monitor the ITS website² for any such opportunities open to anyone regardless of whether or not they submitted a response to this RFI.

All responses to the RFI become the property of the ITS and RCT and will be held in confidence. Respondents consent to allow the ITS to incorporate any submitted ideas, concepts, approaches, or strategies into any planning, design, procurement, or contractual activities related to any aspect of the project without any obligation, liability, or consideration on the part of the ITS or RCT. The ITS or RCT will not be responsible for any costs incurred by any party responding to this RFI.

² www.cfta-alec.ca

4. QUESTIONS

Any questions related to this RFI can be sent in writing to:

Pat Fortier
Managing Director/Directeur général
Internal Trade Secretariat/Secrétariat du commerce intérieur
101 – 605 Des Meurons Street/Rue Des Meurons
Winnipeg MB R2H 2R1
Pfortier@its-sci.ca
www.cfta-alec.ca

5. RESPONSES

Interested parties are invited to respond to this RFI by submitting a response to the ITS.

Responses are to be sent via email before 2:00 p.m. Central Time (CA) on May 12, 2023 to:

Pat Fortier
Managing Director/Directeur général
Internal Trade Secretariat/Secrétariat du commerce intérieur
101 – 605 Des Meurons Street/Rue Des Meurons
Winnipeg MB R2H 2R1
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