



Reducing Red Tape: Department of Justice Canada Progress Report



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Reducing Red Tape: Department of Justice Canada **Progress Report**

Context

The Prime Minister’s May 21, 2025, Mandate Letter emphasized the Government of Canada’s commitment to building an economy that works for everyone. This goal is anchored by key priorities, such as building one Canadian economy and bringing down costs for Canadians. Following these priorities, the Government of Canada is taking action to eliminate “red tape” – outdated and overly complicated regulations that raise costs, reduce productivity, and stifle economic growth.

On July 9, 2025, the President of the Treasury Board launched the “Red Tape Review” exercise, which requires all departments and agencies to conduct a review of their respective portfolios within 60 days and to report publicly on their progress. Departments were to be bold and comprehensive in their thinking, including planning to deliver results over the short, medium and long term.

The Department of Justice Canada (Justice Canada) has reviewed its regulatory portfolio and while we are not a regulator in the conventional sense, we are ready, willing, and eager to meet this challenge to deliver results for Canadians. Justice Canada is responsible for the administration of several Acts and regulations, though far fewer than other departments. The regulations for which we are responsible generally do not impose obligations on persons or entities. Some regulations provide benefits to people, but most have been established to provide specificity for what government officials or organizations can or must do under the law. For example, the impaired driving regulations provide police with rules and procedures on how to administer drug impairment evaluations, such as the analysis of intoxicants. The bulk of Justice Canada’s regulatory portfolio is essentially administrative in nature, relating to the functioning of the department itself or portfolio organizations.

Executive Summary

Over the past 60 days, Justice Canada comprehensively reviewed its regulations in response to this Red Tape Review initiative, to determine whether they imposed unnecessary, duplicative or overly burdensome rules, or resulted in inefficient or unpredictable regulatory administration or service delivery.

As a first step, Justice Canada identified several regulations that could be amended. We were guided by the President of the Treasury Board’s direction:

- **Boldness:** creatively consider all opportunities to reduce regulatory red tape in the regulatory system.
- **Comprehensiveness:** capture all relevant efforts to reduce regulatory red tape and advance the objectives of this initiative.
- **Collaboration:** ensure ongoing public, business and stakeholder feedback, and reflect horizontal engagement with other government departments.
- **Impactful:** outline specific and quantifiable benefits to Canadians and the Canadian economy, underpinned by concrete, clear, and measurable outcomes.

In keeping with this direction, Justice Canada will adopt a “Red Tape Review lens” to its processes going forward. This includes building a Red Tape Review of its regulations into the department’s annual regulatory planning exercises, like the Forward Regulatory Plan and the Regulatory Stock Review Plan. Modernization must be brought, not only to rules and their implementation, but to our day-to-day work, such as the drafting of regulatory text, our internal processes, the administration of our regulations and our policies and guidance.

Progress Achieved

Justice Canada has conducted a thorough review of the orders and regulations for which it is responsible to identify outdated, burdensome, costly and inefficient rules, requirements and processes. We engaged with the Minister of Justice’s portfolio organizations, and they have confirmed they have no contributions to make to this exercise.

In the short term, Justice Canada will seek to advance two regulatory proposals to remove outdated requirements and better leverage modern tools and processes. These changes will lead to a more effective use of government resources.

1. **Canada Gazette publication requirements:** A proposal to repeal and amend certain provisions of the Statutory Instruments Regulations, and to repeal the Canada Gazette Publication Order, 2014, the Canada Gazette (1978) Special Issue Regulations and the Consolidated Regulations Delivery Regulations.
2. **Obsolete text:** A proposal to repeal the C.N.R. Company Exemption Order. C.R.C., ch. 1244.

Short-term (Fall 2026)

Item 1 – Improvements to Canada Gazette publication requirements

Statutory Instruments Regulations (C.R.C. c. 1509), Canada Gazette Publication Order, 2014 (SI/2014-19), Canada Gazette (1978) Special Issue Regulations (SOR/79-613) and

Consolidated Regulations Delivery Regulations (SOR/79-538).

Context

The publication of regulations is governed, in part, by the *Statutory Instruments Regulations (SIR)* and the *Canada Gazette Publication Order, 2014*.

Certain regulatory requirements demand considerable time and effort to implement in practice. The process requirements are onerous and costly, while the results for Canadians have become marginal. Less than 1% of those who consulted the online *Gazette* made use of the following resources:

- The quarterly consolidated index of regulations and other documents.
- The bilingual portable document format (PDF) versions of acts and regulations – that is, the PDF documents in which the English and French language versions of texts are presented side-by-side.

Similarly, the requirement to publish in Part III of the *Gazette* a list of Acts enacted in each session of Parliament is made redundant by the availability of other tools, for example, LegisInfo and the Justice Laws website, as well as the Public Services and Procurement Canada and Shared Services Canada website. As with the examples above, the publication of this list requires a degree of effort that is out of step with its supposed utility and benefits.

Also, the SIR contains outdated requirements on the way regulations are to be transmitted to the Clerk of the Privy Council, namely, either by personal service or by ordinary mail. This is not reflective of the current manner of transmitting regulations, as these are normally transmitted electronically.

As for the *Canada Gazette (1978) Special Issue Regulations* and the *Consolidated Regulations Delivery Regulation*, they were originally meant to regulate the delivery of hard copies of (1) the special issue of Part II of the *Canada Gazette* and (2) the consolidated regulations to persons holding offices specified in the Schedules. These regulations are outdated and therefore obsolete.

Actions

Justice Canada is proposing to advance a regulatory proposal to repeal sections 10, 12, 17 and 18 of the *Statutory Instruments Regulations*, amend sections 4 and 9 of those regulations and repeal the *Canada Gazette Publication Order, 2014*, the *Canada Gazette (1978) Special Issue Regulations* and the *Consolidated Regulations Delivery Regulations*.

Outcome

In summary, the following outdated requirements for publishing the *Canada Gazette* would be removed, making the process more modern, efficient and aligned with users' needs:

- Bilingual PDF versions of instruments
- A list of Acts
- Quarterly indexes

The main function of the *Canada Gazette* –publishing proposed and finalized regulations – will remain unchanged.

Canadians will still be able to find bilingual PDFs of Acts and regulations through existing online sources like LegisInfo, the Justice Laws website and the Public Services and Procurement Canada and Shared Services Canada website.

Crucially, the proposed repeals should result in little to no impact on the ability of Canadians to access federal Acts, regulations, and other statutory instruments, notably considering other key existing online resources.

The proposed amendments would also lift outdated requirements relating to the way regulations are to be transmitted to the Clerk of the Privy Council.

Item 2 – Remove obsolete regulation

C.N.R. Company Exemption Order, C.R.C., ch. 1244.

Context

The purpose of the *C.N.R. Company Exemption Order* was to exempt the Canadian National Railway Company from subsection 10(2) of the 1969 *Official Languages Act*, which obliged the departments and agencies of the Government of Canada and Crown corporations to provide services in both official languages. In 1988, a new *Official Languages Act* (OLA) repealed and replaced the 1969 Act, implementing linguistic rights from the *Canadian Charter on Rights and Freedoms*. This new OLA provided no authority for exemption Orders like the one for the C.N.R. Furthermore, in 1995, the *CN Commercialization Act* provided that the OLA applied to CN (formerly the Canadian National Railway). The Order is therefore spent – that is, the Order has no legal effects.

In 2023, during the modernization of the OLA, section 53 of former Bill C-13, *An Act to amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Acts*, provided the Governor in Council with the express authority to repeal the Order by regulations. This authority, however, has yet to be exercised.

The Department of Justice sponsored the 1969 *Official Languages Act* and still has responsibilities under the current OLA. We played an active and supportive role during the development of former Bill C-13 – and, more generally, we have an interest in keeping the federal statute book in order.

Actions

The Department of Justice is proposing to advance a regulatory proposal to repeal the *C.N.R. Company Exemption Order*, C.R.C., ch. 1244.

Outcomes

Repealing the spent Order would improve the coherence of the federal regulatory framework related to official languages, simplify the Justice regulatory stock, and ensure it contains only information relevant to regulated individuals and entities.

Next Steps

Medium-term to long term (Fall 2028)

Going forward, Justice will adopt a “Red Tape Review lens” to processes, including ensuring that the Red Tape Review of our regulations is built into our annual regulatory planning exercises, like the Forward Regulatory Plan and the Regulatory Stock Review Plan.

More specifically, we will continue our review and consultations to assess whether changes to the Acts for which we are responsible could be considered as part of broader government initiatives to reduce red tape and improve efficiency. If legislative changes are proposed and ultimately enacted, new regulatory amendments will likely follow to complete the process. Applying this “Red Tape Review lens” will benefit Canadians and the Canadian economy.

Furthermore, as part of this initiative we will continue to be bold to find impactful solutions to support Canadians. For example, we will consider artificial intelligence, as well as other new technologies and the digitized delivery of services in all our legislative and regulatory processes.