**Standard Operating Procedures for MAR proposals**

**Purpose:** Outline the process for federal regulators to use in determining whether regulatory changes are miscellaneous in nature.

**Background**

As per the Policy on Regulatory Development:

A Miscellaneous Amendment Regulation (MAR) is a minor, non-substantive amendments to existing regulations. They may be determined by:

* regulators, including through consultation with stakeholders
* by the Standing Joint Committee for the Scrutiny of Regulations

The MARs process takes a “light-touch” approach, as the nature of the regulatory amendments have no real impact.

Examples of items that may be considered a MAR amendments include, but are not limited to:

* repealing obsolete or spent provisions that have no current application
* eliminating unnecessary duplication of text
* renumbering sections
* correcting cross-references
* correcting discrepancies between English and French
* improving consistency among provisions within regulations
* harmonizing terms with those used in enabling statutes and related regulations
* making non-substantive amendments to improve clarity
* correcting grammatical or typographical errors
* updating references to names of companies, locations, titles of office holders, and the like
* updating references to standards and other documents incorporated by reference (where the change is non-substantive)

Amendments that may substantively alter regulations require consultation and may not proceed under the MAR process. Substantive amendments would include those which: alter compliance or administrative costs, and/or create new regulatory requirements.

**Process**

1. To the extent possible, federal regulators should seek to incorporate miscellaneous regulatory amendments into broader, more significant regulatory projects versus bringing them forward as standalone regulatory amendments.
2. If it has been determined that a MAR amendment is the recommended path forward, regulators are to fill out the checklist in Annex 1. Similar to the Strategic Environmental Assessment or Small Business Lens checklists, the new “MAR Checklist” is for internal use, not for TBS review.
3. If all five criteria in the MAR Checklist are met (i.e., you answer “yes” to each criteria), federal regulators can proceed directly to drafting their RIAS (MAR template) without first filling out and sending a Triage to TBS for review.
4. If federal regulators are unsure whether the project they are working on qualifies for the MAR process, please refer to the examples provided in Annex 2 as model references and/or contact your TBS-RAS analyst for clarification.

**Annex 1: MAR Checklist**

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| --- | --- | --- | --- |
|  | **Criteria** | **Yes** | **No** |
| 1 | The changes made through the regulatory proposal fall into at least one of the categories of examples listed in the TBS Policy on Regulatory Development (listed above) or equivalent. |  |  |
| 2 | The proposal would not introduce new costs. |  |  |
| 3 | The proposal would not be considered controversial or result in significant reaction from stakeholders, the media or the public. |  |  |
| 4 | The proposal would not result in a policy change. |  |  |
| 5 | The proposal would not result in new legal risks. |  |  |

**Annex 2: Examples of MAR amendments**

1. [Canada Gazette, Part 2, Volume 155, Number 14: Regulations Amending the Canadian Aviation Regulations (Miscellaneous Program, 2021-1)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-07-07/html/sor-dors152-eng.html)
2. [Canada Gazette, Part 2, Volume 155, Number 14: Regulations Amending the Freezing Assets of Corrupt Foreign Officials (Ukraine) Regulations (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-07-07/html/sor-dors147-eng.html)
3. [Canada Gazette, Part 2, Volume 155, Number 13: Regulations Amending the Canada Grain Regulations (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-06-23/html/sor-dors124-eng.html)
4. [Canada Gazette, Part 2, Volume 155, Number 12: Regulations Repealing Certain Regulations Made Under the Pilotage Act (Tariff Regulations {|mdash|} Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-06-09/html/sor-dors119-eng.html)
5. [Canada Gazette, Part 2, Volume 155, Number 12: Regulations Amending the Quebec Fishery Regulations, 1990 (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-06-09/html/sor-dors115-eng.html)
6. [Canada Gazette, Part 2, Volume 155, Number 10: Regulations Amending Certain Regulations Made Under the Canada Post Corporation Act (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-05-12/html/sor-dors91-eng.html)
7. [Canada Gazette, Part 2, Volume 155, Number 7: Regulations Amending Certain Department of Health Regulations (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-03-31/html/sor-dors46-eng.html)
8. [Canada Gazette, Part 2, Volume 155, Number 6: Regulations Amending the Assessable Activities, Exceptions and Executive Committee Projects Regulations (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2021/2021-03-17/html/sor-dors27-eng.html)
9. [Canada Gazette, Part 2, Volume 154, Number 24: Regulations Amending the Commercial Vehicle Drivers Hours of Service Regulations and a Related Amendment (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2020/2020-11-25/html/sor-dors240-eng.html)
10. [Canada Gazette, Part 2, Volume 154, Number 24: Regulations Amending the Regulations Specifying Territories and Indicating International Registers (Miscellaneous Program)](https://www.gazette.gc.ca/rp-pr/p2/2020/2020-11-25/html/sor-dors239-eng.html)