# Annex S

# Triage Statement

## Part 1: overview of proposal

|  |  |
| --- | --- |
| **Sponsoring regulatory organization(s)** |  |
| **Title of proposal** |  |
| **Statutory authority** |  |
| **Target Treasury Board meeting (approximate date)** |  |
| **Other Cabinet decision required? (Cabinet, budget, Treasury Board Part A, Prime Minister or machinery of government). Please also include relevant past decisions.** |  |

|  |
| --- |
| **Pre‑publication (indicate comment period or exemption)** |
| Provide a rationale for pre‑publication periods other than 30 days or requests for exemption from pre‑publication. |

An analyst from the Regulatory Affairs Sector of the Treasury Board of Canada Secretariat (TBS‑RAS) will send comments to the originating regulatory organization within 10 business days of receipt of a Triage Statement unless a different timeline is mutually agreed upon.

The Triage Statement is intended to be an initial assessment of a regulatory proposal. Use bullet points wherever possible.

Departments and agencies are responsible for ensuring that their senior management (director‑level or above) is aware of the status of the Triage Statement submission and approvals.

A Triage Statement is not required for a Miscellaneous Amendment Regulation (MAR) proposal. Departments and agencies should instead consult the [*Standard Operating Procedures for MAR Proposals*](https://wiki.gccollab.ca/images/8/85/EN_Standard_Operating_Procedures_for_MAR_proposals_-_Criteria_for_Triage_exemption_%28updated_-_February_2022%29.docx) and contact TBS‑RAS for further information.

To ensure that you are using the most recent version of the Triage Statement template and to get access to other tools and guidance documents designed to help you navigate the regulatory process, visit the [Cabinet Directive on Regulation GCwiki page.](https://wiki.gccollab.ca/Cabinet_Directive_on_Regulation_%28CDR%29)

### Background

Provide background information on the proposal, for example, program, history, other policy approvals received, links to relevant portions of websites, and regulatory review.

|  |
| --- |
|  |

### Issue(s)

Describe the public policy issue(s) the proposal would address.

|  |
| --- |
|  |

### Description

Summarize the proposal in non-legal, plain language.

|  |
| --- |
|  |

### Objectives

Describe the expected policy goals and outcomes.

|  |
| --- |
|  |

## Part 2: Consultation, coordination and communication

### Consultation

Provide a list of stakeholders consulted or to be consulted. Describe any consultations that have occurred. What additional consultations will be taking place? If there will be no consultations, explain why. See the [*Policy on Regulatory Development*](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-regulatory-development.html).

|  |
| --- |
|  |

### Forward Regulatory Plan

Is the proposal in your department or agency’s Forward Regulatory Plan, and when was it added? If it is not in the plan, explain. See the [*Policy on Regulatory Transparency and Accountability*](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-regulatory-transparency-accountability.html).

|  |
| --- |
|  |

### Coordination

Does the proposal impact the mandate of any other minister? If so, has the pertinent department or agency been consulted, and what is its position? If the department or agency has not been consulted, explain.

|  |
| --- |
|  |

### Public and media attention

What public and media attention is anticipated? What is the anticipated communications plan (proactive or reactive, high or low)?

|  |
| --- |
|  |

## Part 3: analytical requirements

The answers to the questions in this part should be based on readily available information. Identify any unknowns or additional analysis required in the text box provided.

### Costs and benefits

|  |
| --- |
| See the [*Policy on Cost Benefit Analysis*](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-cost-benefit-analysis.html) and associated [guide](https://wiki.gccollab.ca/Cost-Benefit_Analysis). |
| I.1 Indicate the estimated gross costs of the proposal, including costs to businesses, consumers, Canadians and government: |
| **No costs** | **Low cost: under $10 million over 10 years or under $1 million annually** | **Significant cost: over $10 million over 10 years or over $1 million annually** |
|  |  |  |

Describe and justify the preliminary estimate of the incremental gross costs, including preliminary assumptions, calculations and analysis. Describe the associated benefits, including any qualitative benefits to health and safety, the environment, public security, the economy, trade, businesses or society. Brieflydescribe any analysis still to be done.

|  |
| --- |
|  |

### Gender-based analysis plus (GBA plus) and other distributional issues

|  |  |
| --- | --- |
| For information on GBA plus, visit the [Women and Gender Equality Canada website](https://women-gender-equality.canada.ca/en/gender-based-analysis-plus.html) | **Yes/No** |
| J.1. Was GBA plus conducted for this regulatory proposal? If so, describe it below. |  |
| If not, answer questions J.2 and J.3, and provide additional information below. |  |
| J.2. Would any groups be affected disproportionately by the proposal (based on factors such as gender, sex, age, language, education, geography, culture, ethnicity, income, ability, sexual orientation or gender identity)? |  |
| J.3. Have any concerns been expressed by stakeholders or the public regarding the possible consequences of the proposal to different groups? |  |

Briefly describe any analysis done or analysis still to be done.

|  |
| --- |
|  |

### Effects on the environment

|  |  |
| --- | --- |
| See the ***Cabinet Directive on Strategic Environmental and Economic Assessment*.** | **Yes/No** |
| K.1. Has the exemption OR preliminary screening section of the Climate, Nature and Economy Lens (CNEL) Reference Template been completed? |  |
| K.2. If so, is a strategic environmental assessment required? **Please note:** * Any proposal claiming an effect on annual GHG emissions of more than 0.5 megaton of carbon dioxide equivalent in any year must contact the SEEA Secretariat at ECCC for validation. The GHG modeling team at ECCC, responsible for publishing the official GHG emissions projections of the Government of Canada, will review the claim to ensure its soundness and incrementality to measures already modeled in Canada’s projections.
* Proposals suspected to result in very significant environmental impacts in any area (e.g., biodiversity, pollution, climate resilience/adaptation) will also require CNEL validation by the SEEA Secretariat at ECCC. Very significant environmental effects will generally include major positive or negative impacts on a federal environmental priority.

Any work on modeling done with the SEEA Secretariat at ECCC should also be done in consultation with TBS-RAS to ensure it aligns with the approach used for cost benefit analysis.  |  |

Briefly describe any analysis done or analysis still to be done.

|  |
| --- |
|  |

### Modern treaty obligations and Indigenous engagement and consultation

|  |  |
| --- | --- |
| See the [Crown-Indigenous Relations and Northern Affairs Canada](https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.canada.ca%2Fen%2Fcrown-indigenous-relations-northern-affairs.html&data=04%7C01%7CChris.Adams%40tbs-sct.gc.ca%7C3e7835af993f4a60e16908d9ea66faed%7C6397df10459540479c4f03311282152b%7C0%7C0%7C637798550276466936%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=mQ6%2FiOV98AtBHPy0k2TGilIAhhlBmCwN%2Fc9oKXQawU8%3D&reserved=0) website and the [*Cabinet Directive on the Federal Approach to Modern Treaty Implementation*](https://www.rcaanc-cirnac.gc.ca/eng/1436450503766/1677261907632). | **Yes/No** |
| L.1. Does this proposal impact Indigenous peoples? |  |
| If so, explain: |
| L.2. Have potentially impacted Indigenous peoples been engaged? |  |
| L.3. Could the proposal trigger the Crown’s duty to consult?  |  |
| L.4. Has an assessment of modern treaty implications been conducted pursuant to the [*Cabinet Directive on the Federal Approach to Modern Treaty Implementation*](https://www.aadnc-aandc.gc.ca/eng/1436450503766/1436450578774)? |  |
| L.5. If so, did the assessment identify any modern treaty implications?  |  |

Briefly describe any analysis done or analysis still to be done. Provide a summary of the implications, results of engagement activities, and how these were taken into consideration in the design and implementation of the proposal.

|  |
| --- |
|  |

### One-for‑one rule

|  |  |
| --- | --- |
| See the [*Policy on Limiting Regulatory Burden on Business*.](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-limiting-regulatory-burden-business.html) | **Yes/No** |
| M.1. Would the proposal result in any **increase** in administrative burden on business?  |  |
| M.2. Would the proposal result in any **decrease** in administrative burden on business? |  |
| M.3. Would the proposal create a new regulatory title that imposes new administrative burden on business?  |  |
| M.4. Would the proposal repeal an existing regulatory title?  |  |
| M.5. If the proposal would increase administrative burden on business, will an exemption be sought from the requirement to offset this burden and any new regulatory titles created?  |  |

Briefly describe any analysis done or analysis still to be done:

|  |
| --- |
|  |

### Small business lens

|  |  |
| --- | --- |
| See the [*Policy on Limiting Regulatory Burden on Business*](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-limiting-regulatory-burden-business.html). | **Yes/No** |
| N.1. Would the proposal result in benefits or costs on small businesses? |  |
| N.2. If so, are you considering flexible approaches or otherwise taking proactive steps to limit the anticipated impacts on small businesses?  |  |

Briefly describe any analysis done or analysis still to be done:

|  |
| --- |
|  |

### Regulatory cooperation and alignment

|  |  |
| --- | --- |
| See the [*Policy on Regulatory Development*](https://www.canada.ca/en/government/system/laws/developing-improving-federal-regulations/requirements-developing-managing-reviewing-regulations/guidelines-tools/policy-regulatory-development.html). | **Yes/No** |
| O.1. Is the proposal linked to any international agreements or obligations? |  |
| O.2. Is the regulatory proposal part of an existing formal regulatory cooperation initiative, such as the following?* the Canada‑US Regulatory Cooperation Council
* the Canada‑EU Regulatory Cooperation Forum
* the Federal-Provincial/Territorial Regulatory Reconciliation and Cooperation Table
 |  |
| O.3. Has there been an assessment of other jurisdictions or international organizations to identify where regulatory cooperation or alignment may be possible? |  |
| O.4. Is there an opportunity to pursue a regulatory cooperation or alignment approach with any other jurisdictions or international organizations? |  |
| O.5. Does the regulatory proposal align with another jurisdiction (for example, Canada’s provinces or territories, the US, the EU, international organizations) or a standard-setting body?  |  |
| O.6. Does the regulatory proposal propose to have specific Canadian requirements that differ from existing regulations or standards in other jurisdictions? |  |

Briefly describe any analysis done or analysis still to be done.

|  |
| --- |
|  |

### Other considerations

|  |
| --- |
| P.1. Describe and explain any link(s) between the proposal and other policy instruments (for example, memoranda to Cabinet, the federal budget, Speech from the Throne, Treasury Board submission or regulatory review). |
|  |
| P.2. Are there any legal risks associated with the proposal? (Yes/No) Explain. |
|  |
| P.3. Are there any privacy considerations associated with the proposal? (Yes/No) Explain. |
|  |
| P.4. Is the proposal associated with significant new federal government activities (for example, delivery of a new program, new IT systems) or spending (including source of funding)? (Yes/No) Explain. |
|  |
| P.5. Are there any new or amended fees or charges as part of this proposal, whether or not the *Service Fees Act* applies? (Yes/No) Explain. |
|  |
| P.6. Does this proposal address amendments requested by the Standing Joint Committee for the Scrutiny of Regulations? (Yes/No) Explain. |
|  |

## Part 4: Summary of analytical and submission requirements

The department or agency and TBS-RAS agree that the analytical and submission requirements identified in this document will be presented in the Regulatory Impact Analysis Statement (RIAS).

|  |  |  |
| --- | --- | --- |
| **Departmental contact** | **Email** | **Phone number** |
|  |  |  |

|  |
| --- |
| **RIAS and submission requirements (to be filled out by TBS‑RAS only)** |
| Requirements are based on information provided in this document and are subject to change if new information is provided.Details of requirements are outlined in associated policies and guides. |
| **Cost-benefit analysis (no cost, low cost, significant cost)** |  |
| TBS-RAS remarks |
| **Gender-based analysis plus** |  |
| **Strategic environmental assessment** |  |
| **Indigenous engagement, constitutional and modern treaty obligations** |  |
| **One-for-one rule** |  |
| **Small business lens** |  |
| **Regulatory cooperation and alignment** |  |
| Indicate other requirements |
| **Other considerations**Indicate any other requirements such as:* the need for a privacy impact assessment
* whether legal risk assessments need to be provided to TBS
* whether a Treasury Board submission is required
* other factors, as applicable
 |  |
| **Supplementary notes**Is a supplementary note required? What additional information is expected? |  |
| **Letter of concurrence**Is a letter of concurrence required, or is another minister required to sign a Ministerial Recommendation? |  |
| **Other TBS-RAS remarks** |  |