

requirements of an affirmative resolution for the coming into force of regulations should be imbedded in the grant of enabling powers, where the exercise of those powers may

- substantially affect the provisions of the enabling or any other statute,
- lay down a policy not clearly identifiable in the enabling Act or make a new departure in policy, or
- involve considerations of special importance.

The Standing Orders should be amended to make the affirmative-resolution procedures of the *Interpretation Act* operable, and to ensure that a vote on the resolution to affirm any regulations is not taken until the standing committee and the Standing Joint Committee have reported on it or have allowed a reasonable time period to elapse without report.

- 5.3 Provide each subject-area standing committee with an opportunity to review the proposed regulations after pre-publication in *Canada Gazette Part I*. The committee's report would be tabled in the House, but its primary role would be to provide advice to the Special Committee of Council. PCO could notify each committee in respect to every proposed regulation (classified by size of economic impact). The committee would then have 30 days to decide which ones it would review and another 60 days in which to conduct its review.
- 5.4 The present disallowance procedure under S.O.'s 123-128 should be replaced by a statutory procedure covering all statutory instruments (and any part of a statutory instrument) not subject to affirmative-resolution procedure. The deemed disallowance feature of the present procedure when a resolution is not disposed of should be retained and given statutory force.
- 5.5 The Standing Committee on Finance should review the "Estimated Costs and Benefits of Federal Regulations" tabled with the *Estimates*.
- 5.6 Standing committees in each subject area should be encouraged to undertake periodic evaluations of regulatory programs in order to hold the government accountable for the performance of such programs. The periodic evaluation or assessment might be triggered by (a) an indication by the OCG that a regulatory program has been evaluated pursuant to the program evaluation policy 01-01-92 in the *Treasury Board Manual*; (b) publication of an evaluation by the Auditor General, or (c) information received by the committee suggesting that an evaluation should be conducted.