

March 20, 2020

The Honourable Jean-Yves Duclos
President of the Treasury Board

**Re: Federal, Provincial and Territorial Regulatory Compliance Challenges
Presented by COVID 19**

Dear Minister Duclos,

I am writing on behalf of the below-mentioned industry associations to highlight that the elevated social mobility limitations essential to combatting the COVID 19 pandemic are presenting challenges to our member companies' ability to comply with various regulatory requirements at all levels of government. We represent a substantial cross-section of industrial businesses that operate in every province and territory and collectively employ millions of Canadians. Their top priority is the health and safety of those employees, their contractors and the communities in which they do business.

To be clear, we support the collaborative and measured approach that governments at all levels have taken to prioritize the well-being of Canadians in the face of this unprecedented public health challenge. We recognize that extraordinary measures are required to flatten the contagion curve, including social distancing, physical isolation and quarantine. Our member companies are following the guidance of public health authorities, with measures including encouraging employees to work from home where possible, cancelling all non-essential travel, and limiting site-access for all non-essential personnel. In short, we are fully committed to these new protocols which will help keep our employees, our communities and Canadians healthy.

While we acknowledge these are the right actions at this time, in so practicing them our members are quickly becoming aware of certain implications to their legal obligations that are unlikely to change until the spread of the virus abates. To meet regulatory requirements companies are frequently required to sample, test, use external laboratories, report and verify/audit a host of information, ranging from GHG and air emissions to fuel regulations, effluent quality and fish habitat, among others. These activities often are undertaken by 3rd party specialized

service providers, many of whom have also severely limited their operations and the social mobility of their employees in response to the COVID 19 pandemic.

In short, the prioritization of the public health response to COVID 19 by our members and their service providers works against their ability to achieve regulatory compliance in many instances. Failure to comply also can result in penalties, and potentially reputational damage.

In light of the exceptional circumstances now facing Canada, and the scale of the public and private sector response needed to address this pandemic, we respectfully request the following:

Governments at all levels, on an interim basis, take a flexible approach on regulatory compliance where there is no adverse health or safety impact by simplifying the requirement, eliminating the requirement, or extending by 6 months (and revisiting further extensions as needed) and committing to waiving administrative or other penalties for the same period.

Our members' limited capacity at this time has been completely re-focused on efforts to mitigate the spread of COVID 19 and protect both their employees and the public. Having regulatory certainty in accordance with the above recommendation will enable a sustained maximum focus on this critical task, without diverting resources or inadvertently elevating public health risks.

Sincerely,

John Dillon
Senior Vice President, Policy and Corporate Counsel

A handwritten signature in black ink, appearing to read 'John Dillon', with a long horizontal flourish extending to the right.

On behalf of:

Mining Association of Canada
Forest Products Association of Canada
Chemistry Industry Association of Canada
Cement Association of Canada
Canadian Nuclear Association
Canadian Electricity Association
Aluminum Association of Canada
Federal Co-operatives Limited
Fertilizer Canada

Canadian Gas Association
Responsible Distribution Canada
Canadian Steel Producers Association
Business Council of British Columbia
Global Automakers of Canada
Canadian Manufacturers & Exporters
Canadian Fuels Association
Canadian Vehicle Manufacturers' Association
Canadian Energy Pipeline Association
Canadian Paint and Coatings Association
Canadian Association of Petroleum Producers

c.c.

The Honourable Travis Toews, President of Treasury Board and Minister of Finance – tbf.minister@gov.ab.ca

The Honourable Carole James, Minister of Finance and Deputy Premier – FIN.Minister@gov.bc.ca

The Honourable Scott Fielding, Minister of Finance – minfin@leg.gov.mb.ca

The Honourable Ernie Steeves, Minister of Finance and Treasury Board – Ernie.Steeves@gnb.ca

The Honourable Karen Lynn Casey, Minister of Finance – FinanceMinister@novascotia.ca

The Honourable Tom Osborn, Minister of Finance and President of Treasury Board – financeminister@gov.nl.ca

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