

Different Forms of Red Tape

The Government of Saskatchewan's objective is to ensure regulations are sensible, which means they are easy to comply with and to administer. Achieving this means reducing red tape as much as possible. Red tape exists as unnecessary, mandatory compliance requirements created in legislation, regulations, programs, policy, procedures, forms or standards. It unnecessarily increases the **time and cost** for business and individuals to comply with government rules.

Red tape may be present when any of the following appear:

1. A heavy regulatory footprint

This may include instances where:

- a) Government is trying to solve a problem that may be better addressed by the private sector through market factors (e.g. rental price controls).
- b) Regulation is imposed as a normal course of government business, instead of as a *last resort* after considering other non-regulatory and regulatory alternatives (e.g. education/information, self-regulation, co-regulation).
- c) Rules significantly extend beyond public health, safety, social wellbeing, consumer protection, education, training and environmental protection concerns.
- d) Rules are burdensome, unnecessary or ineffective.
- e) Rules created are considered overly risk-averse by stakeholders.
- f) The number and scope of rules continues to creep upward over time.
- g) Rules directly or indirectly unnecessarily impact businesses competitiveness, growth or ability to innovate.
- h) The cost of a regulatory requirement outweighs its benefit.
- i) Rules don't achieve the original outcomes intended.

2. Inefficient government processes

This may include instances where:

- a) Rules or requirements are unclear, confusing, overly complex or lengthy—requiring an excessive amount of time for stakeholders to understand, interpret or comply with.
- b) Rules, requirements or government contact information are not easily accessible or available online and, when available, may be out of date.
- c) Compliance requirements directly impacting stakeholders are not shared publicly.
- d) A clear explanation or rationale for the purpose of the rule is not shared publicly.
- e) Government approval times or delays in processing applications are considered excessive by stakeholders.

- f) One-Stop or centralized client service centres do not exist to distribute government information, process applications or pay fees.
- g) Rules are in place that are outdated, irrelevant, obsolete or not enforced.
- h) Government staff cannot be reached in a timely manner to answer stakeholder questions.
- i) Rules don't make sense from a stakeholder's perspective.

3. Inflexible regulations

This may include instances where:

- a) Prescriptive-based rules are used exclusively without consideration for the use of outcome-based rules which can provide flexibility for businesses to achieve desired outcomes through the use of innovation or technology.
- b) Enforcement actions are not proportionate to the seriousness of the breach and risk being managed.
- c) Rules apply heavy compliance requirements on all stakeholders, instead of focusing on high-risk individuals or groups.
- d) Rules don't consider a staged or graduated approach to penalties and compliance requirements.
- e) Rules rely too heavily on penalties rather than incentives.

4. Inequity and unfairness

This may include instances where:

- a) Rules are considered inequitable or unfair, where certain stakeholder groups may be regulated more heavily than others without apparent cause.
- b) Service fees paid to government (e.g. inspection fees) are considered excessive, or where there is a perception the fee lacks value.
- c) Rules are created without adequate stakeholder consultation, transparency or cost considerations.

5. Jurisdictional misalignment

This may include instances where:

- a) The same or similar rules are administered by multiple government agencies.
- b) Rules exist that duplicate requirements, create gaps in service or are conflicting amongst government jurisdictions.
- c) Lack of accountability and responsibility amongst jurisdictions exists.
- d) There is a lack of effective communication and information sharing amongst jurisdictions.