



BUSINESS COUNCIL OF ALBERTA

July 8, 2026

The Honourable Dominic LeBlanc, P.C., M.P.
President of the King's Privy Council for Canada and Minister responsible for Canada-U.S.
Trade, Intergovernmental Affairs, Internal Trade and One Canadian Economy
55 Metcalfe Street
Ottawa, Ontario, K1P 6L5

(submitted via email to engagement@pco-bcp.gc.ca)

Dear Minister LeBlanc,

Thank you for providing the opportunity to comment on the federal government's "Getting Major Projects Built in Canada — Discussion Paper on Proposed Legislative, Regulatory, and Policy Reforms" (hereafter, "Discussion Paper").

The Business Council of Alberta (BCA) is Alberta's leading business coalition, representing CEOs from across the province's diverse industries. We offer pragmatic, non-partisan solutions to improve Canada's investment climate and prosperity. Our members represent the majority of Alberta's private sector investment, job creation, exports, and research and development.

Investments in major projects represent billions of dollars in potential economic stimulus. This means more Canadian jobs, higher wages, improved competitiveness, better services, and, importantly, a greater national capacity to respond to external economic and geopolitical threats. By making Canada's project review system our competitive advantage, we can pave the way toward growing our economic and social prosperity, and our national self-reliance.

That's why, in March, BCA released [Restoring Confidence in Major Project Reviews Part I and Part II](#) as part of our *From Barriers to Breakthroughs* initiative. Together, these reports propose a framework for amending the *Impact Assessment Act* (IAA) and *Canadian Energy Regulator Act* (CER Act) to get more projects built at pace. We believe the detailed recommendations in these reports provide the template for advancing our shared project review reform goals.

For this reason, BCA is [very pleased](#) to see that many of those policy recommendations have been directionally and substantially reflected in the Discussion Paper. We are particularly glad to see a commitment to faster review timelines and a recognition that the appropriate lifecycle regulators are best positioned to review projects under their own legislation.

BCA is committed to working closely with your government as it prepares to enact these and other changes to Canada's system of project reviews. Our goal is to advance



meaningful, durable changes that instill confidence in the business community to invest in Canada.

This is especially important given how much major project assessment legislation has already changed over the last decade. We need to create a stable, predictable review and permitting system that businesses can count on for years to come. This is not about cutting corners on environmental, social, safety, or Indigenous cultural protections. Rather, it is about designing a review process that achieves these important goals while maximizing the nation-building potential of game-changing investments in major project developments.

To these ends, the **Appendix** attached to this letter contains a series of questions about the content of the Discussion Paper that, if answered, can provide the business community with more clarity about the details of the government's proposals. We also provide our high-level policy recommendations to assist the government in achieving its broad policy objectives.

We would also like to thank senior officials from your ministry, the Impact Assessment Agency of Canada (IAAC), and the Major Projects Office for making themselves available to answer our questions, accept our input, and have candid, meaningful conversations in the interest of advancing our shared policy objectives.

BCA appreciates the opportunity to participate in this consultation and welcomes continued engagement as reforms are considered.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Legge".

Adam Legge
President

cc: Hon. Tim Hodgson, P.C., M.P., Minister of Energy and Natural Resources
Corey Hogan, M.P., Parliamentary Secretary to the Minister of Energy and Natural Resources
Claude Guay, M.P., Parliamentary Secretary to the Minister of Energy and Natural Resources
Michael Sabia, Clerk of the Privy Council and Secretary to the Cabinet
Greg Orenacsak, Deputy Minister, Natural Resources Canada
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Brandan Rowe, Chief of Staff, Intergovernmental Affairs
Dawn Farrell, Chief Executive Officer, Major Projects Office
Terence Hubbard, President, Impact Assessment Agency of Canada
Peter Feldberg, Vice President, Regulatory Affairs, Major Projects Office
Deborah Quaicoe, Director, Privy Council Office



Appendix: BCA Official Submission in Response to “Getting Major Projects Built in Canada — Discussion Paper on Proposed Legislative, Regulatory, and Policy Reforms”

BCA is pleased to see the federal government take serious steps toward improving Canada’s major project review and permitting processes. Creating fast, efficient processes through policy framework certainty is the critical first step needed to instill business confidence and attract transformative capital investments in nation-building projects.

To those ends, BCA released its *Restoring Confidence in Major Project Reviews* parts I and II in late March. Together, these reports develop a structure for how an ideal major project review and permitting system should work under the IAA and CER Acts. From that structure, we worked with legal counsel to develop implementable, legislative-language-level recommendations. We believe they provide the template for achieving this government’s desired policy objectives.

Concerning those policy objectives, we are particularly [pleased to see](#) the following substantial directional changes in the Discussion Paper:

- Reducing the government’s review and decision-making timelines.
- Introducing legislative changes for IAA-designated projects to have one decision document, including for federal permits.
- Making lifecycle regulators, like the Canada Energy Regulator (CER), the single review authority under their own legislation for projects within their regulatory remit, including for pipelines.

This meaningful pivot in project review design will help improve proponent confidence in the regulatory process—an essential first step needed to re-instill private sector investment appetite.

That said, there is always more that government can do.

Rather than repeating all our recommendations from *Restoring Confidence* verbatim, or commenting on every point in the Discussion Paper, this submission will focus on areas of conceptual overlap between the two. Under the “A. Areas for Further Clarification” section, we offer a list of questions, the answers to which will provide beneficial details and clarification for businesses. In the “B. Policy Discussion and Recommendations” section, we discuss the government’s proposals, highlight areas of commonality and difference, and provide recommendations we believe will advance the government’s policy objectives.



A.Areas for Further Clarification

While the Discussion Paper aligns with several significant components of BCA's proposed structure for an improved project review process, the details of any change matter. There are instances in the Discussion Paper where the specifics are unclear — details that could have a material impact on the effectiveness of the overall proposed changes.

The following questions identify areas where further government clarification is needed. Without more details, it is difficult for businesses to provide accurate feedback about the potential impact of the proposed changes. Accordingly, please note that the recommendations in the “Policy Discussion and Recommendations” section should be read with the understanding that the answers to the following questions may overlap and interact.

Overarching Questions:

- Will stakeholders be provided with the details of the Discussion Paper's proposed changes, including a 'visual map' of the new system, before their enactment?

Timelines:

- If the one-year review applies to government's review portion only, what about the rest of the process (i.e., Planning Phase, Impact Statement Phase)?
- What amendments will be made to CER Act reviews to align with the one-year review goal?
- How will the various phases of the IAA be sequenced? Will they overlap? Will they be combined? Will they be sequential?
- Will the revised project review systems replace the MPO's role in project reviews after the MPO's 5-year sunset period? If so, will a streamlined national interest designation persist in legislation?

One Project Decision:

- Will the “one decision document” option be available for all IAA projects, or only for “certain projects listed under the Physical Activities Regulations”?
- What is the plan for reviews by Review Panel or Integrated Review Panel?
- Will oil sands mines remain on the Projects List?
- How do the proposed changes impact the AB-CA IA Cooperation Agreement?

Enabling Economic Zones through Regional Impact Assessment:

- How will the federal government ensure potentially lengthy economic zone reviews avoid interfering with planned project applications in the same areas?



- Will regional assessments only apply to federally reviewable projects?

Permitting:

- How will post-review permit coordination avoid pitfalls that delay/limit construction?

Streamlined and Efficient Regulatory Environment:

- How will the burden of review requirements be reduced to ensure the proponent can complete their required studies as efficiently as possible?
- How will requirements be made “technically and economically feasible,” and how will the lead review agency ensure federal authorities make decisions accordingly?

Indigenous Consultation Hub:

- How will existing consultation expertise within, and proponent- and Indigenous-relationships with, departments will not become lost within a duplicative office?
- How will the Consultation Hub function alongside the Federal Review Coordinator and IAAC?
- Will the Consultation Hub have a role in both IAA reviews and CER Act reviews?



B. Policy Discussion and Recommendations

The following seven policy categories overlap between our *Restoring Confidence* papers and the concepts raised in the Discussion Paper.

As a starting point, our *Restoring Confidence* recommendations, from which most of the recommendations below are derived, are meant as a template for durable, legislative change to both the IAA and CER Acts.

The Discussion Paper indicates that government's proposed changes will be made either by legislative, regulatory, or policy reforms. Our goal is to ensure those reforms are both durable and airtight by embedding as many of them in the law as possible, ensuring there are no legal gaps detracting from the review speed and efficiency desired by government.

1. Improving review timelines

BCA is pleased to see a commitment to reduce federal reviews and decision-making to no more than one year. However, a proponent's preparation for, and execution of, a project review spans much more than just the time it takes the federal government to consider their application. As such, many details remain unclear about the proposed one-year timeline, including the following considerations:

- How this timeline will fit within existing IAA and CER Act review process structures
- Whether additional changes will be made to legislation to remove regulators and politicians' ability to extend timelines

On the first point, the federal impact assessment process currently has discrete time limits for each of the phases of the process — from the Planning Phase through to the Decision-Making Phase. The Discussion Paper proposes that proponents will have one year after the Notice of Commencement (NoC) to submit their finalized studies and information (i.e., presumably, the existing Impact Statement Phase), with optional timeline increases for permits at the proponent's discretion. The federal government will then have one year to review materials and come to a decision (i.e., presumably, the existing Impact Assessment and Decision-Making phases combined).

In addition, the time limits on the Planning Phase are not raised in the Discussion Paper. This notional 180-day phase has proven problematic in the past, with numerous projects taking [many months longer](#) than the stated time limit.

Taken together, and depending on how the federal government sequences and/or overlaps the IAA phases, the proposed one-year review is likely over two years from start to finish. However, it is not clear from the proposals whether there will be legislative teeth committing the entire review process—including pre-project planning and studies completion—to an



investment-friendly timeframe. As such, businesses would like to see legislative changes committing the entire review process under both the IAA and CER Act to two years or less.

On the second point, maximum timelines under the IAA and CER Act currently contain many opportunities for the regulator and/or political decisionmakers to pause the clock or grant themselves extensions. Businesses need to know that the regulatory process will take the amount of time the government says it will unless the proponent decides otherwise. Accordingly, except in the most narrow of circumstances, such as ensuring Indigenous consultations are properly administered or government dissolves, the opportunity for the government to extend, suspend, or pause timelines needs to be removed.

To help speed up review timelines and ensure their integrity, BCA recommends the following:

Recommendations

- Legislate that IAA reviews can be no longer than 2-years total from start-to-finish by:
 - capping the Planning Phase time limit to 60 days;
 - combining the Impact Statement and Impact Assessment phases and limiting this new phase to 21 months; and
 - creating flexibility for the regulator to review proponent studies and information on a rolling basis.
- Ensure that CER Act pipeline reviews are no more than 250 days for pipelines with more than 40 km of new right-of-way; and no more than 180 days for those less than 40 km of new right-of-way.
- Require the agency leading an IAA review to consider requiring an even shorter timeline than the maximum time limit allowable, scaled to project impact/complexity; and require them to publish the reasons for maintaining the maximum allowable time limit, if applicable.
- Ensure that capped maximum timelines for reviewing IAA or CER Act projects can only be paused/extended by regulators or decision-makers in exceptional circumstances, such as court orders, force majeure, or at the request of a proponent.

2. Streamlining permitting

BCA is pleased to see the proposed changes to federal permitting aligned with our recommendations in *Restoring Confidence in Major Project Reviews*. These include:

- Placing the Federal Review Coordinator and the Canadian Energy Regulator in charge of coordinating permitting under the IAA and CER Act, respectively; and
- Reviewing federal permit applications concurrently with environmental assessments, subject to the option for a proponent to extend or delay timelines.



Together, these changes will help save proponents a significant amount of time in the project approval process; and move that process closer to the “one project, one review, one decision” ideal.

However, while directionally supportive, BCA believes these changes can go a step further to help the federal government develop the degree of regulatory accountability and streamlined decision making we both hope to accomplish. This requires some policy revision, and some clarification on implementation plans.

First, not every federal authority has the requisite skill set to be a regulator, even if they do house the best technical experts on the given subject matter. Scientific subject matter expertise, for example, does not always guarantee permit delivery expertise. Rather than merely having a coordinator of federal permitting authorities, BCA believes the authority to grant permits should be given to the agency leading the federal permitting authority coordination. Doing so will ensure less duplicative evidence assessment, promote a one-window approach, and streamline the entire decision-making process needed to proceed to construction.

Second, further clarification is needed about whether all permits, or only some, will be included in the federal decision document. On the one hand, the Discussion Paper says its proposed changes to the IAA review process “would allow one federal decision document to be issued...” that “would include *all federal decisions* required for a project to move forward.” On the other hand, it states, “Permits not included in the proposed one-year federal review and decision timeline will not be part of the single decision, but will proceed through the assessment and permitting processes one after the other.”

Given that the Discussion Paper also states a proponent has the option to extend or delay permit application timelines, a charitable reading could mean that all permits will be included in the decision except for those a proponent chooses not to include or cannot complete on time. However, it could also be interpreted as meaning there are simply some permits that cannot, for unstated reasons, be included in the decision document within the one-year timeline.

BCA’s preference is that every federal decision and permit should be included in the decision document of the IAA or CER Act review process, subject to a proponent’s wishes. Furthermore, we propose a legislative mechanism for ensuring permit streamlining post-IAA review should a proponent wish to extend their permit applications beyond the review final decision. The precise legislative mechanisms we propose for the IAA can be found on page 49 and 93-98 of [Restoring Confidence Part I](#).

Third, a proponent may wish to submit permit applications later than at the immediate outset of their IAA or CER Act review. In these circumstances, permitting processes need to accommodate the proponent’s permit application submission timing, which may extend decision-making on these permits beyond the statutory time limit of the project review. In such circumstances, permitting process will need substantial coordination after the IAA or



CER Act review process is complete so that construction can begin in an orderly, predictable fashion. Legal construction windows, especially for linear projects, are already narrow, and proponents need to be able to line up their contractors therein. If permit decisions are slow or too uncoordinated to accommodate these construction windows, projects can be delayed by entire seasons.

And fourth, having several federal authorities requesting similar or overlapping information can create a significant administrative burden for proponents. We believe that major project reviews should adopt the federal government's own "Tell-Us-Once" system to help ensure information is only submitted once and is shared across all relevant federal departments. This idea, which is being proposed in the federal government's "Strengthening One Canadian Economy through trade and transportation" [discussion paper](#), would help promote a single-window approach and would complement our recommendation above to have the lead review agency granting permits rather than simply coordinating the federal permitting authorities.

Recommendations:

- Make the lead agency of IAA and CER Act reviews responsible for *granting* permits, not just coordinating other federal authorities' independent decisions.
- Provide clarity about whether all federal permit decisions are included in the decision document, subject to a proponent's wishes.
- If a proponent chooses to apply for a permit subsequent to the project review, ensure legislative measures are taken to streamline post-review permitting.
- Adopt the "Tell-Us-Once" concept for collecting and sharing proponents' applications across all relevant federal departments.

3. Adjusting final decision making

Moving the political decision to the beginning of a review and, to the extent possible, depoliticizing final decisions, are two of the most important policy changes needed to improve investment certainty. This is why BCA is pleased to see the following changes proposed in the Discussion Paper to the CER Act review process:

- For larger pipelines with lengthy routes, moving the public interest decision of CER-reviewed projects to the beginning of the process, before the CER completes the remainder of the review and conditions creation; and
- Making the CER Commission the final decisionmaker for shorter pipeline routes.

BCA is supportive of these changes. However, we believe these CER Act proposals can be optimized and expanded; and that changes should be made to the proposed IAA decision-making structure as well.



For CER reviews, the distinction between long and short pipeline routes matters. Whether a project must undertake a review with a political decision by the GIC, or whether the CER has final decision-making authority, is a material difference to project proponents. As such, BCA recommends that pipelines with greater than 40 km of new right of way be reviewed under the longer s. 183 process, and all others be reviewed under the shorter s. 214 process. The addition of “new right of way” to the threshold is vitally important for proponent confidence that reviews will appropriately scale to their level of impact.

But regardless of this distinction, BCA also hopes to see the CER become the final decisionmaker on all pipeline routes, regardless of the pipeline’s size and the intensity of review. As the expert regulator, the CER is best positioned to assess the public interest on these projects.

For the IAA, the Discussion Paper proposes that the review of some projects listed under the *Physical Activities Regulations* will result in one decision document. From this document, the Minister of Environment, Climate Change, and Nature (ECCN) will make a final decision at the end of the review. When the Minister determines there will be significant negative effects, that triggers a joint decision to be made alongside the relevant minister of the sector or, if both Ministers so desire, send the decision to Cabinet.

BCA supports the move to create one decision document. We also support the move to better balance consideration of economic benefits alongside negative effects in the proposed decision-making structure.

However, our members require clarity on the role of the *Physical Activities Regulations* and which projects will remain listed within the new proposed system. For instance, it is unclear why only certain projects listed in the *Physical Activities Regulations* qualify for the new streamlined, single-document decision-making process. At the risk of having misunderstood the government’s proposed changes, BCA believes all IAA projects should benefit from one decision making document.

Moreover, we would like to ensure that *Restoring Confidence’s* proposed Responsible Lifecycle Regulator Model is used to determine which projects get listed on the *Physical Activities Regulations*. Under this model, only projects whose primary lifecycle regulator is federal would be reviewed under federal legislation. For example, oil sands mining operations are primarily regulated provincially, yet, as we understand it, they remain on the Projects List. Provincial regulators should be responsible for leading oil sands mine reviews under their own legislation with federal input and involvement as necessary.

Second, BCA would like to see political decision-making removed from the end of the IAA review process. In *Restoring Confidence*, we recommend instituting a two-stage decision-making process, whereby a national public interest decision is made upfront, and the appropriate federal lifecycle regulator conducts the remainder of the review to make a final technical determination. This would ensure the review process has a political greenlight



upfront to help smooth out the expert, independent, regulator-led process thereafter, and that the process will use a true, one-window approach.

Recommendations:

- Make the CER the final decision maker for both s. 214 and s. 183 pipelines by removing the political decision maker altogether.
- Change the threshold between s. 214 and s. 183 pipeline reviews to >40 km of new right-of-way.
- Ensure all IAA-reviewed projects are eligible for decision-making under a single decision document.
- Ensure project types whose lifecycles are primarily regulated at the provincial level — such as existing oil sands (in situ and mining) expansions and associated activities, new in situ oil sands facilities, and natural gas fired power plants, including cogeneration facilities — are reviewed by a province under their own legislation.
- Move the IAA's national public interest political decision to the front of the review, with the remaining technical authorization left to the appropriate lifecycle regulator leading the review.

4. Rightsizing the scope of requirements

BCA is pleased to see the federal government consider truncating IAA review timelines. However, there are several aspects of project reviews that can render legislated timelines ineffective at speeding up the full extent of a proponent's activities in preparing for and executing the requirements of a project review.

BCA is aware of the hard work IAAC has put in to develop process streamlining mechanisms to ensure project reviews occur within two years from start to finish. We commend these efforts and look forward to seeing them fully realized in future policy. Furthermore, we recognize that the Discussion Paper makes a nod to “ensuring project requirements are technically and economically feasible; to avoid inflating construction costs and the time it takes to build a project.”

However, our *Restoring Confidence* reports highlight several challenges associated with reasonably containing review requirements – challenges not acknowledged in the Discussion Paper.

For instance, if review requirements are too burdensome and/or they are not appropriately scoped and scaled to focus on only the most potentially significant, material impacts, a proponent will not be able to reasonably complete their studies and applications faster or more efficiently. These requirements will either be pushed into non-timebound review phases, or compel the proponent to extend time limits to complete its work.



Unbounded public participation is a good example. Unless non-Indigenous public participation is limited to those directly impacted or with relevant expertise, the requirement for a proponent to respond to the volume of comments can take away from efforts to address and mitigate material impacts.

Furthermore, a project review is only the first stage of a project's regulated life. As such, the review process does not have to be the sole regulatory forum for litigating every conceivable pro and con of a project. Some requirements of IAA and CER Act reviews are better off remaining outside those processes for the simple fact they are *already* regulated elsewhere.

Considerations about climate change impacts illustrates this point. Methane regulations, industrial carbon pricing mechanisms, clean fuel regulations, among others, already strictly govern economy wide emissions. There is no need to further reflect those considerations in major project reviews.

Other facets considered in reviews are already covered by existing codes, standards, and/or regulations that proponents must follow. As such, there is no clear reason why they should be consuming a regulator or proponent's time and energy during a review rather than being subject to other compliance mechanisms during construction.

Recommendations:

- Reintroduce the concept of “standing” to the IAA to so that public participation is only open to those directly affected by a project, or those with relevant information or expertise.
- Require reviews to focus on only the highest potentially significant impacts; and to avoid the review of existing requirements set out in the law, standards, or codes.
- For both IAA and CER Act reviews, remove the requirement to assess a project's impacts on Canada's commitments in respect of climate change, which is already accounted for through existing emissions mitigation policies.

5. Clarifying Indigenous consultation

BCA is pleased to see the Discussion Paper propose the creation of a Crown Consultation Hub, as it closely reflects the Indigenous Consultation Office idea presented in our 2023 *Future Unbuilt* report.

We support efforts to improve Crown-Indigenous relations by making project-specific consultations less repetitive; and through maintaining meaningful Crown-Indigenous relationships through a single point of contact.



The Discussion Paper states that this new Consultation Hub approach “will apply only to major projects.” Since we are supportive of the concept’s merits for IAA project reviews, we would like to see it applied to projects reviewed under the CER Act as well.

However, despite being widely supportive of the idea, we recognize that creating this function is not without its challenges—especially if the federal government is to avoid the Hub becoming duplicative with the pre-existing, longstanding, and trusted relationships between specific federal authorities/offices and Indigenous communities. We would also like to ensure that this Hub has the policy clarity needed from government regarding how it will work with proponents to collect evidence from proponent-led engagement efforts, and how this evidence will contribute to the fulfilment of the Crown’s duty. As such, BCA would like to see caution applied when designing this office to ensure its functions do not create unintended consequences that slow down consultation efforts.

BCA also believes other measures should be taken to help spur earlier, meaningful Crown-Indigenous engagement. Unlike *Future Unbuilt*, our *Restoring Confidence* reports focus more heavily on how review legislation can be adjusted to encourage consultation efforts to align with proposed review time limits, to the extent possible.

Recommendations:

- Apply the single-coordinator role of the Crown Consultation Hub to projects reviewed under the CER Act in addition to the major projects under the IAA.
- Ensure the Crown Consultation Hub remains non-duplicative, protects Crown-Indigenous relationships forged through existing departments, and clarifies how procedural aspects of consultation are delegated to proponents.
- Adjust the preambles of the IAA and CER Act to encourage consultation to occur within maximum review timelines, to the extent possible.

6. Promoting ‘one project, one review, one decision’

Between the Discussion Paper and IAAC’s efforts to sign IA cooperation agreements with the provinces, BCA is pleased to see meaningful steps being taken to promote ‘one project, one review, one decision’. Interjurisdictional cooperation, and a meaningful commitment to respect constitutional jurisdiction, is necessary to streamline reviews.

The cooperation agreements contain many of the right elements, and their existence is evidence of a more collaborative approach between federal and provincial counterparts to achieve ‘one project, one review, one decision.’ That said, BCA believes agreements on jurisdictional responsibility over reviews need to be embedded into the legislation itself rather than negotiated in separate agreements.

To do this, *Restoring Confidence* offers language for the IAA that would require the jurisdiction housing a project’s lifecycle regulator to be the one responsible for leading



project reviews under its own legislation – whether it be federal or provincial. We call this the Responsible Lifecycle Regulator Model (RLRM). We believe legislating this arrangement will create more certainty for businesses and a more durable system over time.

Recommendation:

- Adopt the RLRM described above by legislating solutions to federal-provincial jurisdictional questions. The specifics of how this model works and the legislative changes to support it can be found on pages 16 and 62 of [Restoring Confidence Part I](#).

7. Mitigating judicial review risk

As recent experience with project reviews has shown, the durability of approval decisions before the courts is a major concern. Of course, judicial review of decision-making cannot be entirely avoided, and nor should it. For example, the Crown’s obligations under s. 35 of the constitution must be met, and not meeting these requirements will always result in judicial review.

However, there are aspects of project review processes that can be protected from the risk of decision reversals through court challenges.

Courts already show deference toward statutory decision-makers, generally providing latitude when their statutory interpretation is within the realm of reasonableness. By providing regulators with more latitude for statutory interpretation in specific aspects of the law, their decisions will more likely fit within a reasonable interpretation.

In *Restoring Confidence*, BCA identifies the IAA’s list of factors (s. 22) that decision-makers *must* consider in their review as being an area where more latitude for interpreting the law can help avoid decision reversals by the courts. By changing this “must” into a “may”, a review’s statutory decision maker has more latitude to consider only the factors that the agency or review panel (as the case may be) decides are important to review. There is less risk that a legal challenge will come forward on the basis that a minor or irrelevant factor listed in s. 22 has not been fully studied or considered. Therefore, we recommend:

Recommendation:

- Adjust s. 22(1) of the IAA by striking out “must” and replacing it with “may” to provide the lead review regulator more discretion to not review listed factors.