

**CONSULTATION ON THE NEW SUBSTANCES PROGRAM DRAFT REMISSIONS APPROACH  
WHAT WAS HEARD REPORT-REMISSIONS  
MAY 2021**

**1. Introduction**

The [Service Fees Act](#) (SFA), which replaced the *User Fees Act* in 2017, seeks to increase transparency, accountability, and predictability regarding service fees collected for regulatory and non-regulatory services by the Government of Canada. In order to comply with the SFA, Environment and Climate Change Canada (ECCC) has developed a Departmental Remissions Policy that sets out the corporate approach to remissions. The New Substances Program (NSP) has developed a program specific [Remissions Approach](#) in conjunction with the Departmental Remissions Policy.

The Remissions Approach sets out the specific performance standards applicable and remissions payable associated with the [New Substances Notification Regulations \(Chemicals & Polymers\)](#) [NSNR(C&P)]. Most of the performance standards for the NSP are regulatory timelines with the exception of performance standards for masked names and confidential searches.

Under the Remissions Approach, if a performance standard has not been met, a remissions payment of 25% of the fee must be granted to the fee-payer. The proposed remission payment was determined as a result of a review of remissions policies in other government departments.

The New Substances Remissions Approach will be reviewed after twenty-four (24) months from its effective date of April 1, 2021. Fee-payers and other stakeholders will have the opportunity to provide feedback during the review. Subsequent reviews will be carried out every five years after the first review.

On an annual basis, ECCC is required by the SFA to develop and publish an [Annual Report to Parliament](#), which reports on each fee charged, remissions that were paid, as well as the department's performance in meeting its performance standards.

**2. Modes of Stakeholder Engagement**

In November 2020, the draft Remissions Approach, along with a companion frequently asked questions document, was published on the [NSP's website](#) for public review. The NSP engaged with stakeholders through webinars, which included question and answer periods, delivered in French and English on November 24, 2020. Following the webinars, the presentation slides used for the webinars were posted on the NSP's website and links for the webinar recordings are provided upon request to stakeholders. Comments, complaints, and inquiries on the draft Remissions Approach were accepted until January 6, 2021. Stakeholder feedback is accepted on an ongoing basis through the Substances Management Information Line.

**3. Summary of Questions/Comments:**

<b>Component</b>	<b>Summary of Comments/Questions Raised</b>	<b>Program's Response</b>
Scope	Does the Approach include services that do not charge fees (e.g. adding substances to the Domestic Substances List)?	No, the Approach is only applicable to services that charge fees under the NSNR(C&P).
	What criteria are required for a ministerial extension of the regulatory timeline?	The assessment period can be extended under <a href="#">CEPA</a> to permit a full risk assessment when concerns are identified during the assessment process. An extension may be sought based on the complexity of the notification and the need for potential risk management measures that may have to be taken under consideration for certain types of substances.
Performance standards	60 days as a performance standard for Masked Names seems lengthy.	The performance standard is based on the approximate time to review masked names. Not all masked names will require the full 60 days.
	Would an assessment decision be given well before the timeline is over or would the NSP wait for the full assessment period before issuing the decision?	Assessment decisions can be provided before the end of the timeline. For example, if the performance standard is 60 days and a decision is made on day 30 then the NSP would not wait for day 60 to inform the notifier of the assessment decision.
Application/Remissions rate	Why is a remissions approach necessary when the assessment timelines are in the NSNR (C&P)?	In the context of the <i>Service Fees Act</i> and the NSNR, the fee-payer is paying for a service. The Approach outlines a process at the end of the assessment period to ensure that the service for which fees were received was in fact completed.
Inquiries/Comments/Complaints	A few additional inquiries were received regarding access to webinar recordings, copies of the presentation, final webinar dates, and clarifications tied to registration and to the program's distribution list.	Relevant links, copies of the presentation, and clarifications were provided to stakeholders as appropriate.