A Memorandum to Cabinet is prepared to seek policy approval and authority to draft new legislation. Cabinet is the Prime Minister’s forum for creating consensus among the Government’s Ministers.

Following Cabinet decision, the Department of Justice drafts a bill with proposed new legislation. This is done in collaboration between a government department’s or a relevant organization’s policy development and legal services teams.

The bill with proposed new legislation is introduced in either the House of Commons or the Senate. The Minister for Ministerial regulations or the Treasury Board for Governor in Council regulations, reviews and approves the draft regulations with or without changes.

The approved draft regulations are published in the Canada Gazette, Part I. The Canada Gazette is the official newspaper of the Government of Canada. It contains information such as formal public notices, official appointments, proposed regulations, and more. It is also a consultative tool, providing Canadians with the opportunity to provide their comments on the proposed regulations.

Parliamentarians then debate the principle of the bill and vote to decide whether it should be studied further.

Once the bill has been passed by both the lower and upper Chambers, it goes to the Governor General for Royal Assent and then becomes Canadian law, which is also known as coming into force or effect.

If the bill passes the vote, it is then sent to the other Chamber, where it goes through the same process.

When a Committee has finished its study, it reports the bill back to the House. The entire House can then debate it. During the report stage debate, Parliamentarians can suggest other amendments to the bill.

The bill then goes back to Parliamentarians for a final debate and vote, based on the Committee’s report.

If the bill passes, it is sent to a Parliamentary Standing Committee which studies it in depth, holds public hearings to hear views and may suggest changes.

The Minister or the Treasury Board, as appropriate, reviews and approves the final regulations. Once approved, it goes to the Governor General to sign an Order in Council to make the regulations. The final regulations are published in the Canada Gazette, Part II, at which time the regulations take effect.

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THE LEGISLATIVE PROCESS

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THE REGULATORY PROCESS

Opportunities for the public to participate

Sources: Parliament of Canada and Privy Council Office