Ottawa’s plan to modernize health and safety regulations has raised concerns that this may be an industry-driven step toward deregulation.

The Smart Regulation initiative, which the public service will present to the federal government for approval this winter, will guide federal health and safety regulations pertaining to everything from pharmaceuticals to agricultural seeds. Intended to modernize the regulatory system, it is also designed to “foster an economic climate that promotes innovation and investment.” The initiative’s guiding principles include effectiveness, cost-efficiency, timeliness, transparency, accountability and performance.

Critics, such as members of the Canadian Health Coalition (a public health system advocacy group) who hosted a May 9 conference where the regulations were discussed, say they are step toward deregulation. They contend that public safety will be subservient to economic goals.

Ken Moore, a senior analyst with the Privy Council Office, acknowledged a “tension” between the “notion of precaution and public protection versus stimulating innovation and economic prosperity.” He added: “We’re very conscious of these tensions.”

Within the “smart” regulation framework, the precautionary principle will be used as a risk management tool, Moore said. The principle “recognizes that the absence of full scientific certainty shall not be used as a reason for postponing decisions where there is a risk of serious or irreversible harm.”

Consultations over the next few months will try to determine Canadians’ “values and risk tolerance,” Moore said.

But University of Victoria bioethicist Conrad Brunk told the conference these tensions are irreconcilable because they are based on “conflicting values.” For example, “if the value is promotion of technological innovation, then this means cutting the regulatory requirements and facilitating this innovation.”

While the Smart Regulation initiative emphasizes timeliness, the precautionary principle requires science to understand the risks, and this takes time. “The government should choose one guiding principle or another,” said Brunk.

Precautionary values should be entrenched in the regulation, he added. These values have to be “reflected in specific language [or] it could very well be a deregulatory process.”

“The whole process is driven by the innovation agenda,” he added. — Barbara Sibbald, CMAJ