

THE BIZPAL INITIATIVE

MEMORANDUM OF UNDERSTANDING

BETWEEN:

HER MAJESTY, THE QUEEN IN RIGHT OF CANADA,
AS REPRESENTED BY THE MINISTER OF INDUSTRY

AND:

THE GOVERNMENTS OF

YUKON

BRITISH COLUMBIA

ALBERTA

SASKATCHEWAN

MANITOBA

ONTARIO

NOVA SCOTIA

NORTHWEST TERRITORIES

March 27, 2007

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DEFINITIONS

BizPaL Initiative (the Initiative) refers to the Participants, funding, product, and support related to the development and delivery of a shared service for information on business permits and licences and other regulations.

BizPaL Product (the Product) refers to the combination of the BizPaL Technology Platform and any client-facing web applications that leverage that platform to provide information on business permits, licences and other regulatory requirements provided by federal, provincial/territorial or Local Governments.

BizPaL Technology Platform (the Platform) refers to the centrally-hosted technology components that support the BizPaL Product. This includes the database, an administration interface, web services and associated applications that are housed on the centralized BizPaL servers.

Inter-governmental Letter of Agreement (ILA) is a document that is signed by the federal government and each participating provincial or territorial government which specifies financial commitments and provisions addressing, amongst others, intellectual property ownership and service standards (including service levels).

Jurisdiction refers to the geographical area over which the participating government has authority e.g. the City of Ottawa or the Province of Ontario.

Local Government means a municipal or regional government or a First Nations governing body including the Council of an Indian Band, or an organization that has been designated as their "authorized representative". For the Government of Yukon this includes a Yukon First Nation as that term is defined in An Act Approving Yukon Land Claims Final Agreements R.S.Y. 2002, c.240, s. 1.

Memorandum of Understanding (MOU) is a statement entered into by the provinces and territories and Canada. This document outlines Signatory's intentions with respect to the fundamental principles and objectives of the BizPaL Initiative.

National BizPaL Office (NBO) is the coordinating body that is responsible for overseeing the central operations of the Initiative on behalf of the Participants.

Participant refers to any government or organization that is involved in implementing BizPaL. It includes all levels of government.

Pilot Participants refer to the first group of participants who implemented the BizPaL pilot project. The Pilot Participants of the BizPaL Initiative are Industry Canada, the Province of British Columbia, the City of Kamloops, Yukon Territory, the City of Whitehorse, the Province of Ontario, and the Region of Halton.

Signatory refers to the federal, provincial /territorial government, or their designate that has entered into the BizPaL MOU.

Whole-of-government refers to the inclusion of all orders of government: local, provincial, territorial, and federal.

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INTRODUCTION

Canadian businesses have repeatedly indicated that the complexity and burden of government regulation negatively impacts their bottom line. Doing business with government is not a straightforward task and businesses find themselves spending too much time complying with government regulations.

To this end, the BizPaL Initiative was created to significantly improve the experience of businesses dealing with multiple governments – and to serve as a model for similar collaborative efforts between governments in the future.

The BizPaL Product is a self-service web-based tool that allows clients to generate a customized list of permits, licences and other regulations that they require from all orders of government. The BizPaL Product provides comprehensive information and facilitates self-service which also allows governments to more efficiently utilize the resources they dedicate to client service.

The BizPaL Initiative is a proven Whole-of-government approach to client focused service delivery. Both the development of the Product and delivery of the Initiative require the involvement and commitment of Participants from all orders of government: federal, provincial/territorial and local.

The intent of this Memorandum of Understanding (MOU) is to establish the structure that will make it possible for business clients and governments to benefit from:

- a) Improved access to information for small and medium enterprises;
- b) More efficient use of client service resources;
- c) More streamlined and efficient government service delivery;
- d) New opportunities for service transformation and innovation; and
- e) Increased compliance with permit, licence and other regulatory requirements.

Local Government Participants in the BizPaL Initiative are expected to enter into a written agreement with their respective province or territory that reflects the principles of this MOU.

The Signatories to this MOU acknowledge that a shared vision and investment in the BizPaL Initiative will help businesses start-up and grow. In addition, it is intended that the BizPaL Initiative will complement the existing resources of each of the respective governments in facilitating the success of small business in Canada. Based on this shared vision, the Participants will work to establish a collaborative, cross-Canada approach that supports future planning, development and national implementation of the BizPaL Initiative.

The Signatories recognize the significant contributions the initial Pilot Participants have made, and continue to make, to the BizPaL Initiative. To formally acknowledge the key role Local Governments play in making the Initiative an ongoing success, the initial Local Government Pilot Participants have endorsed the signing of this MOU.

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The initial Pilot Participants of the BizPaL Initiative are Industry Canada, the Province of British Columbia, the City of Kamloops, Yukon Territory, the City of Whitehorse, the Province of Ontario, and the Region of Halton.

BIZPAL PRINCIPLES

The Signatories and all other Participants intend to implement the BizPaL Initiative according to the following principles which are based on the original principles developed by the initial Pilot Participants:

1. Respect for the autonomy of the Participants;
2. Participants all have a voice in how the BizPaL Initiative is to be managed and operated;
3. The BizPaL Product is ultimately shared by all of its Participants;
4. Each Participant is responsible for presenting, maintaining, and updating its own information;
5. Each Participant will decide how it will adjust its own internal practices in light of its participation in the BizPaL Initiative;
6. Major decisions related to the BizPaL Initiative will be made by consensus among representatives of the Steering Committee (refer to Addendum for representation); and
7. Participants are responsible for their own costs of developing, launching, maintaining, operating and developing BizPaL. Signatories to this MOU share in additional centralized costs, as specified in Intergovernmental Letters of Agreement (ILA).

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MOU AND ILA OBJECTIVES

This MOU is an understanding between Signatories articulating the BizPaL Principles and high level objectives of the Initiative. This MOU is a statement of the Signatories' intentions only and is not intended to create legally binding obligations.

Each Signatory to this MOU will enter into a separate Intergovernmental Letter of Agreement (ILA) with Industry Canada which will articulate the legally binding obligations between Industry Canada and each Signatory with respect to the operation and administration of the BizPaL Initiative. This includes, but is not limited to, provisions relating to the ownership of intellectual property relating to the BizPaL Product, service levels, financial considerations, and operations and management issues.

The Signatories are entering into this MOU with a strong commitment to providing clients with a high quality of service necessary to support the success of the BizPaL Initiative. Signatories intend to pursue the following high-level objectives:

- To work together to ensure accountability for the quality of information, sustainability of the service, and ongoing co- operation in the delivery of the service;
- To explore opportunities for streamlining and simplifying business information and service transformation identified through participation in the BizPaL Initiative and to eliminate regulatory overlaps, conflicts and inefficiencies; and
- To expand the use of the BizPaL Product by businesses and other clients, such as business and trade organizations and public and private small business service delivery agents, and to quantify expansion according to the number of clients served, the involvement of new Participants in the BizPaL Initiative, and the scope and breadth of permit, licence, and other regulatory information available through the Product.

This MOU signifies the commitment of Ministers to improving government services to business in Canada by:

- Working in collaboration to ease the regulatory burden;
- Delivering client-centered, Whole-of-government services to business; and
- Supporting small business start-up and growth.

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GOVERNANCE STRUCTURE

Participants have established a governance structure to provide strategic direction and to manage day-to-day operations. This governance structure also ensures that business directions and corporate initiatives align with those of the Participants. All orders of government are part of the governance structure to ensure equal representation and a Whole-of-government approach to the BizPaL Initiative (refer to the Addendum for further governance details).

The National BizPaL Office has been established to support the centralized functions of the Initiative. It is intended that the National BizPaL Office be cost-shared by the Signatories. The on-going shared costs for the BizPaL Initiative will cover hosting and maintenance of the system and the National BizPaL Office functions.

TERMS AND CONDITIONS

This MOU is effective April 1, 2007 and is intended to continue for a period of five (5) years at which point the terms and conditions of the MOU shall be reviewed by all Signatories and be renewable for another five (5) years if desired. Written consent may be provided by all federal provincial and territorial Participants (new or existing Signatories) who wish to enter into the MOU.

Any changes to the services provided during the period of this MOU must be negotiated and approved by all Signatories in writing.

Any Signatory may request an amendment to this MOU by giving notice to the National BizPaL Office which will advise all Signatories of the proposed amendment. Negotiations shall commence within 90 days following notice.

Upon approval of the Steering Committee, this MOU may be amended with the mutual written consent of all Signatories and should be signed by the original Signatories or their designate. The process for approval is set out as follows:

- The Steering Committee will review proposed changes and approve;
- Should the recommendations not be approved, the document will remain unchanged until suitable amendments are approved;
- All Signatories or their designate will sign the amended document; and
- Once approved, the amended document will replace the previous signed document.

Upon approval of the Steering Committee, the Addendum to this MOU may be amended and signed by the designate to the Signatory of this MOU.

The MOU is signed by participating federal, provincial and territorial governments. As new provincial and territorial governments are enlisted as Participants, the expectation is that these new Participants become Signatories to this MOU and their own individual ILA specifying their financial commitment for shared costs.

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Any notices under this MOU should be made in writing and shall be given or provided by personal delivery, prepaid registered mail, courier service or fax at the address, or fax number as the case may be, of the receiving Participants.

The MOU formalizes the strategies detailed in the Letters of Intent (LOI) previously signed by the federal government and the provinces and territories.

DISPUTE RESOLUTION

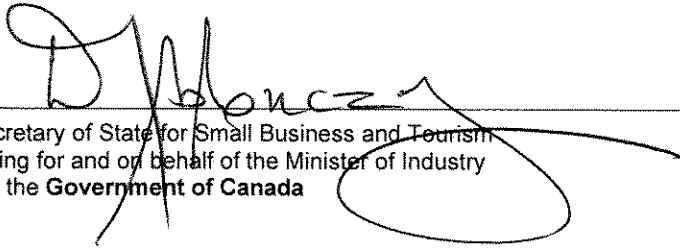
Signatories intend to proceed on the basis of building consensus. When all efforts to reach a consensus have been exhausted, the Steering Committee will agree on an alternative dispute resolution mechanism to come to a decision, which may include mediation.

TERMINATION

Any Signatory may terminate its participation in this MOU by providing 90 days notice to the National BizPaL Office who will in turn advise all of the Participants in writing.

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This MOU will be effective for Signatories as of the date of signature:



Secretary of State for Small Business and Tourism
Acting for and on behalf of the Minister of Industry
For the **Government of Canada**

FEB 20 2008

(Date)

Minister of Small Business and Revenue and Minister Responsible
for Regulatory Reform
For the **Province of British Columbia**

(Date)

Minister of International, Intergovernmental and Aboriginal
Relations
For the **Province of Alberta**

(Date)

Minister of Service Alberta
For the **Province of Alberta**

(Date)

Minister of Industry and Resources
For the **Province of Saskatchewan**

(Date)

Minister of Competitiveness, Training and Trade
For the **Province of Manitoba**

(Date)

Minister of Government Services
For the **Province of Ontario**

(Date)

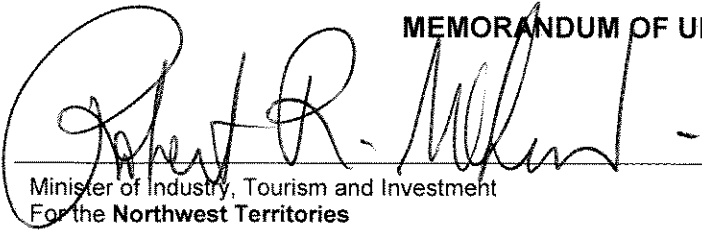
Minister of Service Nova Scotia and Municipal Relations
For the **Province of Nova Scotia**

(Date)

Minister of Community Services
For the **Yukon Territory**

(Date)

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Minister of Industry, Tourism and Investment
For the Northwest Territories

FEB 20 2008

(Date)

Witnessed by Initial Local Government Pilot Participants:

For City of Kamloops

(Date)

For City of Whitehorse

(Date)

For Region of Halton

(Date)

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ADDENDUM Governance

The Participants have collaboratively developed governance structures for the BizPaL Initiative related to decision making and on-going delivery of the BizPaL Product. The current governance structure is made up of a Steering Committee, Project Managers Committee, and various ad hoc committees. The Steering Committee is the main governing body and the Project Managers Committee is the main operational body.

Participants intend to make decisions on the basis of consensus. When consensus cannot be achieved, the Steering Committee will agree on an alternative dispute resolution mechanism to come to a decision, which may include mediation.

Signatories will assign delegates at the appropriate level to participate in governance activities and ensure that there is Local Government representation on the Steering Committee and on other committees. The Steering Committee is comprised of the following: one representative from each provincial and territorial government, one Local Government representative from each province/territory, one representative from the federal government and one representative for other government departments.

The governance structure may be reviewed as the number of Participants increases. The Participants may refine and operationalize long-term governance and sustainability models including alternative options to Steering Committee governance.

Any changes to the governance structures determined by the Participants will apply to all Participants. It is the intent that no special provisions will be made for any Participant.

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STEERING COMMITTEE

A Steering Committee with representation from each level of government has been established to provide strategic direction and to ensure business directions and corporate initiatives align with those of the Participants. The Steering Committee intends to operate in accordance with an approved Terms of Reference.

The Steering Committee intends to meet quarterly or more frequently, if required, to deal with ongoing issues, as well as with any issues that could not be resolved by other committees.

Signatories are responsible for ensuring Local Governments within their Jurisdiction designate an appropriate representative to sit on the Steering Committee. The method to assign the Local Government representative will be established by each Signatory in consultation with their respective Local Governments participating in the BizPaL Initiative.

PROJECT MANAGERS COMMITTEE

The Project Managers Committee has been established to support the day-to-day operations and delivery of the BizPaL Initiative. The Project Managers Committee provides regular status updates to the Steering Committee, identifies issues for resolution by the Steering Committee and makes decisions based on consensus.

All orders of government have the opportunity to participate on this committee made up of project managers involved in the BizPaL Initiative. There is currently no limitation on the number of participants on the Project Managers Committee. All Participants are invited to be members of any subsequent sub-committees that deal with or have an impact on the delivery of day- to-day operations of the Initiative.

The Project Managers Committee intends to operate in accordance with a Terms of Reference approved by the Steering Committee.

AD HOC COMMITTEES

The Steering Committee has the authority to create working groups or ad hoc committees or designate the authority to the Project Managers Committee in order to meet work requirements and the goals and objectives of the BizPaL Initiative.

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