



Infrastructure  
Canada

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**BRIEFING NOTE TO THE MINISTER OF INTERGOVERNMENTAL AFFAIRS,  
INFRASTRUCTURE AND COMMUNITIES**

**Canada Infrastructure Bank Legislative Review**

(For Signature)

**TIMELINE**

Your decision is requested [REDACTED] for  
launching the legislative review of the *Canada Infrastructure Bank Act*.

**PURPOSE**

This note seeks your concurrence on a proposed approach to undertake the first five-  
year legislative review, [REDACTED] in order to meet the  
requirement to complete and table a report in Parliament within one year.

**SUMMARY**

As designated Minister, you are responsible for undertaking a review of the *Canada  
Infrastructure Bank Act* every 5 years, the first of which begins on June 22. The scope,  
process and timing of review is within your purview to determine [REDACTED]

[REDACTED]  
Finance Canada, as the  
Minister of Finance has specific powers under the Act. [REDACTED]

[REDACTED]  
Your concurrence with the overall approach [REDACTED] is requested [REDACTED] In the  
interim, the department is now engaged in preparatory work for the review, which  
should meet the legislative criteria to commence the review by the anniversary date in  
the legislation. [REDACTED]

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## **CONTEXT AND KEY FACTS**

The *Canada Infrastructure Bank Act* requires the designated Minister to undertake a review of the provisions and operations of the Act every five years beginning on the day on which it came into force, with the first review covering the period of June 22, 2017 to June 22, 2022. The Act further requires the Minister to table a report before both houses of parliament a year after the review begins (**see Annex A**). [REDACTED]

[REDACTED]

[REDACTED]

A regular review process required by statute is a common feature among Crown corporations, and can be found in the governing statutes of the *Business Development Bank of Canada Act* and *Export Development Canada Act*, upon which the CIB's legislation is based. [REDACTED]

[REDACTED]

Other legislative reviews have varied in approaches, depending on the scope and nature of the provisions, and whether there are acute issues and/or legislative or regulatory requirements to discharge. This has included varied approaches to public and stakeholder consultations, expert and other input, across government and with orders of government as well as timing of engagement with parliamentarians and committees, whether early in the process, or once a report is tabled.

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## **CONSIDERATIONS**

In developing plans for the review there are a number of considerations at play

[REDACTED]

### *Scope*

[REDACTED]

[REDACTED]

### *Engagement and Communications*

[REDACTED]

[REDACTED]

ATIA - 21(1)(a)

ATIA - 69(1)(g) - (a)

ATIA - 69(1)(g) - (c)

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[REDACTED]

[REDACTED]

*Process*

[REDACTED]

[REDACTED] (see **Annex B** For  
details):

[REDACTED]

[REDACTED]

[REDACTED] **Parliamentary Process** [REDACTED] tabling  
of report in Parliament.

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED] Annex C

provides responsive lines, should questions be received.

[REDACTED]

The Government's response to the recommendation made by the TRAN Committee on May 2, 2022, will also present an opportunity to signal the Government's support for the CIB [REDACTED]


**RECOMMENDATION/NEXT STEP**

It is recommended you concur with [REDACTED] launching the first legislative review of the CIB Act [REDACTED] and we would recommend holding a briefing on the topic in the coming weeks. By way of this memo the department is effectively launching the review internally as of June 22, 2022, to meet statutory requirements. [REDACTED]

[REDACTED] Communications and holding lines will also be prepared for the review as well as related the pending response to the Committee report [REDACTED]

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	2022-6-23
Kelly Gillis	Date
Deputy Minister	
Infrastructure and Communities	

<input type="checkbox"/> I concur.	<input type="checkbox"/> I do not concur.	<input type="checkbox"/> For discussion.
The Honourable Dominic LeBlanc, P.C., Q.C., M.P.		Date
Minister of Intergovernmental Affairs,		
Infrastructure and Communities		

Attachment(s):

Annex A – Legislative Language  
Annex B – Potential Timing  
Annex C – Responsive Lines

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**Annex A – Legislative Requirement**

The *Canada Infrastructure Bank Act* (CIB Act) requires the Minister to undertake a review of the provisions and operations of the CIB Act every five years beginning on the day on which it came into force (i.e., with the first review covering the period of June 22, 2017 to June 22, 2022).

A report on the findings of the review must be tabled before each House of Parliament one year from the day the review was undertaken and this report must be reviewed subsequently by Committee.

**Relevant provisions of the CIB Act:**

**Five-year review**

27 (1) Every five years beginning on the day on which this Act comes into force, the designated Minister must have a review of the provisions and operation of this Act undertaken.

**Report to Parliament**

(2) Within one year after the review is undertaken, the designated Minister must cause a copy of the report on the review to be laid before each House of Parliament.

**Review of report**

(3) The report must be reviewed by any committee of the Senate or of the House of Commons, or any joint committee, that may be designated or established for the purpose of reviewing the report.

ATIA - 21(1)(a)

ATIA - 69(1)(g) - (a)

ATIA - 69(1)(g) - (c)

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## Annex B – Potential Timing

	Actions	Timing
	- Internal launch of review	- June 22, 2022
Parliamentary Process		
Parliamentary Process	- Table report in parliament (any time within 1 year after review undertaken)	



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### **Annex C – Responsive Lines**

- [REDACTED] INFC officials have begun preparatory work for a review of the CIB's governing statute.
- [REDACTED]
- [REDACTED]