Saskatchewan rejects TILMA

The current government in Saskatchewan flirted with signing on to TILMA; but has now formally rejected joining.

There is no more broad public support for the deal in Saskatchewan than there is in BC.

The Saskatchewan Association of Urban Municipalities passed a motion opposing TILMA. They warned the provincial government they will always want to be part of any negotiations or they will "strongly demand a complete exemption from this agreement."

The city solicitor in Saskatoon listed several serious effects a TILMA would have on the city. These included: rejection of most of the city's plans to revitalize the city core; a challenge to the city's property maintenance standards for being higher than average; overturning the city's lead in anti-smoking bylaws and even denying the use of referenda to decide that casinos would not be allowed downtown.

The business beat goes on

ONTARIO AND QUEBEC continue to edge towards a TILMA—in everything but name alone.

Late in 2007 premiers Charest and McGuinty signed a joint statement outlining their intent to enter into an agreement that would eliminate what they call "unnecessary" barriers to trade, investment and labour mobility.

AT THE NATIONAL LEVEL, the provinces continue to broaden the provisions of the 1995 Agreement on Internal Trade (AIT). Until very recently, this agreement was a "political agreement" with limited enforcement provisions. In August of 2007, that basic approach was toughened up.

In the lead-in to that meeting, Alberta, BC and the federal government pressed the other provinces to agree to TILMA.

Instead, the provinces agreed to develop a binding dispute settlement mechanism for AIT, with fines of up to $5 million. Eventually this may include business/individual challenges to government activity or regulation—one of the most troubling provisions of TILMA.

At their January 2008 meeting the premiers announced "progress"on dispute resolution, which will include "monetary awards for failure to comply" with a trade panel's ruling.

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- Health Sciences Association of Alberta
- Saskatchewan Government and General Employees' Union
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SCARY TILMA BUSINESS

Trade Investment Labour Mobility Agreement

What you don't know may soon hurt you.

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TRADE INVESTMENT LABOUR MOBILITY AGREEMENT

A BUSINESS DREAM COME TRUE

The Trade, Investment and Labour Mobility Agreement (TILMA) is a creature created by the governments of Alberta and British Columbia in April 2006.

It's like a mini-NAFTA: a trade agreement designed to "free" trade and commerce between the two provinces.

According to the BC government TILMA will break down "all of the economic barriers between the two provinces."

TILMA is clearly of business, by business and for business. One of the ministers involved in constructing the agreement openly admitted it contains "everything business wanted."

Its sweeping provisions impact almost everything our governments do, and affect every level of government—provincial, city, municipal, as well as hospitals and school boards.

TILMA is a business dream come true.

It will be a very scary business for the rest of us.

SCARY TILMA BUSINESS

SCARY PART #1

TILMA fabricates barriers that don't exist

TILMA supporters work hard to turn interprovincial trade regulations into barriers. For them, differences in public interest regulation amount to trade barriers.

In terms of day-to-day working reality there are almost no barriers between provinces. There are no physical barriers—no guardposts or border guards; and there are no real economic barriers like tariffs.

A Canadian Centre for Policy Alternatives study found the effect of interprovincial trade barriers to be negligible.

In the final analysis, the main complaint of the TILMA supporters seems to be with the Articles of Confederation that created Canada. They seem prepared to reject the concept of Canada as one nation from sea to sea with 10 separate provinces free to run their own affairs. Their desire to eliminate all differences between provincial jurisdictions can lead to only one conclusion: a Canada with no provinces at all!

SCARY PART #2

TILMA weakens our democracy

TILMA effectively undercuts the ability of all our governments and public bodies to govern. They will no longer be allowed to make the public interest their sole concern. They will not be able to effectively do what we created them to do: to regulate and order our public affairs for the common good.

They will always have to second-guess themselves and always make business interests a prime consideration—over and above what is in the best public interest.

The "will of the people" and their elected representatives will come second. The will of the corporations will have to come first.

SCARY PART #3

TILMA weakens our public policy

The practical effect of hemming in our governments this way will be an overall lowering of standards and reduction in regulations necessary to preserve and protect the public interest in general and our public health and safety in particular.

TILMA expressly states that: "Each party shall ensure that its measures do not operate to restrict or impair trade or investment or labour mobility between the Parties." It also states that: "Parties shall not establish new standards or regulations that operate to restrict or impair trade, investment or labour mobility."

It is not hard to imagine how these provisions could be used to object to almost everything our governments do. Most of what governments do can be argued to "restrict trade" in some way or another.

TILMA will even hobble governments in dealing with the environment. Everything except measures "relating to the management and disposal of hazardous waste" will be subject to the provisions in TILMA.

TILMA will eliminate local purchasing or the favouring of local suppliers.

Thus, TILMA would eliminate government support for rural development, or small business, and limit support for economically depressed regions.

TILMA is the perfect tool to ensure that provinces seek the lowest common denominator in all they seek to regulate.

SCARY PART #4

Business gets a $5M hammer

TILMA gives private business the right to seek compensation up to $5 million each for any government action they disagree with—that is, any regulations, policies, or programs that they deem to "impair or restrict" investment, trade or labour mobility.

Businesses are given access to a special Disputes Panel of appointed experts to make the process easier.

Again, it is not hard to imagine how the threat of a possible $5 million-per-offence penalty will cool the desire of a province, school board or municipality to push the envelope of public policy.

Far from a done deal

Public protest slows TILMA application

TILMA is not getting a free ride. Not with the public, at least.

The BC provincial government has signed the agreement. But has twice failed to get the legislature to approve the exact terms for how to apply the penalties business so much wants. Public opposition is just too high.

Vancouver and 19 other BC municipalities asked to be exempted from TILMA. They want to be "fully consulted" by the provincial government first. The BC School Trustees Association demanded that they be exempt, period. Even the BC Library Association took a formal vote against the agreement.

Public pressure against TILMA in BC continues. Opposition to TILMA centres on two demands: first, that nothing be approved or implemented without a full and open debate in the legislature of every clause and detail in the agreement; second, that there must be full consultation with all the governments, boards and agencies that will have to change everything to live life by TILMA's rules.

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