



Public Policy Profile

POLICY: Sustainable Development Act

DATE INTRODUCED: Enacted June 28, 1997

JURISDICTION: Manitoba

INTENDED OUTCOME: The Sustainable Development Act is intended to assist “create a framework through which sustainable development is implemented in the provincial public sector and promoted in the private industry more generally” (Government of Manitoba 2007).¹ Subsequent regulation stemming from the Act has extended this focus to arms-length organisations, including universities, health authorities and hospitals, giving the Act significant reach.

BRIEF DESCRIPTION

“The [Sustainable Development] Act defines sustainable development through a set of principles...the principles acknowledge the need for the Manitoba government to take a leading role in protecting the environment... [and] include the integration of environmental and economic decisions, environmental stewardship, prevention, rehabilitation and reclamation, global environmental responsibility, and the acknowledgement of the collective responsibility of Manitobans to protect the environment” (Reimer et al., 2009).² Further, the Act mandates action

1 www.gov.mb.ca/conservation/susresmb/sd/index.html

2 Reimer, B., Simpon, D., Hajer, J., Loxley, J. (2009). *The Importance of Policy for CED: A case study of the Manitoba context*. Canada: Northern Ontario, Manitoba Saskatchewan Regional Node of the Social Economy Suite

in several areas including: that the government develop a Manitoba Roundtable on Sustainable Development to advise on, and promote the Act; a sustainable development strategy be developed and reviewed every five years; a set of sustainability indicators, procurement guidelines and reporting requirements, and a provincial Code of Practice and guidelines be developed.

SIGNIFICANCE

The Manitoba Sustainable Development Act has resulted in significant outcomes that have supported sustainable development initiatives in the province. For Glen Holmes of the Department of Conservation, the “process itself is a significant outcome” because it forced communication about the importance of sustainable development across all areas of government, resulting in increased awareness about how to incorporate sustainability into all areas of government. This initial push was supported by an intensive education campaign and has been kept alive by the regular reporting requirements built into the Act. To Holmes, the reporting elements of the Act are important because they force government departments to look at their actions at least once annually. Similarly, the mandated review of the sustainable development strategy encourages reflection and adjustment by government as a whole at regular intervals. Further, as an overarching policy statement the Act is seen as a useful tool that can be employed by supportive actors and activists. The Act is seen as having helped create a supportive environment for the passage of other policy initiatives, including the No Sweat Procurement and the Green Building policies, for example. The No Sweat Procurement policy sets out rules and guidelines to ensure

that clothing and apparel purchased for use by government workers comes from employers that comply with labour laws and accords of the International Labour Organization. In 2006, it was estimated that the Government of Manitoba spends on average between \$1.3 - 1.6 million annually in these areas.

For Glen Holmes, the significance of the Act is also found in the fact that the Act and actions stemming from it have stood the test of time. For example, it remains common in government to hear senior government officials refer to the Act and its principles to support specific actions, while the Green Procurement guidelines stemming from the Act have had a significant impact on the way government, and eventually all arms-length bodies purchase goods and services.

However, from a practitioner perspective, some see the Act as less successful. Karen Peters, member-at-large on the Manitoba Roundtable for Sustainable Development critiques the Act as being outdated, focusing on conservation and reclamation rather than taking a longer-term and holistic approach to sustainable development. According to Peters, “people are not aware of it [the Act] and are not excited by it... As it stands, the legislation is not used as a guiding principle or reference point.” In her view, the Act is still largely reactive rather than proactive and

should be updated to reflect the interconnections between the environmental, economic and social justice issues. From this perspective, the Act has done little to affect the compartmentalized nature of government and oftentimes departments can be found working at cross-purposes to one another. Stakeholders are working to make the Act more explicitly committed to the use a CED approach in the achievement of its goals.

Most seem to agree, however, that the Act is not at the top of the policy agenda in the way it used to be. In some ways the focus on sustainable development has been replaced by a focus on community and social development issues. For some, this reflects a natural evolution of the policy, while for others this points to weaknesses in the Act and a low level of awareness about it. Others still feel that the Act has been sidelined by the current government that does not see it as their own. All agree, however, that recent mention of ‘modernizing’ the Act in the fall 2009 throne speech is a signal that the current government is interested in the Act, even if only to alter it. Karen Peters and others in the community see this as an opportunity to address some of the Act’s current shortcomings. Peters argues that, if updated the Act has the potential to “show a well rounded and holistic approach that will contribute to an ‘imagination shift’ and will reflect in how things are done [in government].”

SUCCESS FACTORS AND CHALLENGES

One point where there is not widespread agreement is on the success factors and challenges associated with this policy. Reimer et al. (2009) argue that the Act is essentially a set of principles without explicit targets, making it difficult to enforce. On the other hand, Glen Holmes sees the flexibility in the Act as a factor that has helped keep it relevant and allowed it to evolve over time. According to Holmes, “the Act sets the table, but does not provide the food.” Further, while some argue that the Act amounts to little more than a set of principles, others see the regular reporting built into the Act as a mechanism that helps “keep people honest.”

Another area that is seen as both as a success and a challenge is the sheer breadth of the legislation, as it not only covers arms-length institutions but also affects over 200 municipalities in the province. Communication and education about the Act remains a challenge, especially as many of these entities are mostly concerned with direct service provision to their citizens and clients.

REPLICABILITY

When first enacted, the Manitoba Sustainable Development Act was seen as quite revolutionary and since then, several other jurisdictions have looked to Manitoba for advice on the development of similar legislation. Representatives from Manitoba were involved in the drafting of legislation in Québec, for example. The Nova Scotia Environmental Goals and Sustainable Prosperity Act also draw on elements of the Manitoba legislation but go further in some regards. Other

jurisdictions have adopted specific elements, such as No Sweat procurement practices, that are present in Manitoba and supported by the Act. What is important to Holmes, is that other jurisdictions interested in adopting similar legislation understand that while the Act is not perfect, it has proven to be an important starting point and has “set the tone” for significant future action on this issue.

INTERVIEWS

Karen Peters, Manitoba Sustainable Development Roundtable; Glen Holmes, Manager, Intergovernmental Affairs & Strategic Policy, Department of Conservation.

FOR MORE INFORMATION

<http://web2.gov.mb.ca/laws/statutes/ccsm/s270e.php>

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