



Transportation Safety Board of Canada

## Regulatory Red Tape Review: progress report

17 September 2025

The Transportation Safety Board of Canada (TSB) is an independent agency mandated under the *Canadian Transportation Accident Investigation and Safety Board Act* (the Act) to advance transportation safety by investigating accidents and incidents in the air, marine, pipeline and rail modes of transportation. The object of the Board is to conduct independent investigations, identify safety deficiencies, issue recommendations to eliminate those safety deficiencies and report publicly on its findings and recommendations.

The TSB reports to Parliament through the President of the King's Privy Council, not the Minister of Transport. The TSB identifies safety deficiencies in transportation regulations only through its investigations, its findings, and its recommendations. To preserve its independence, the TSB does not comment on or intervene in the regulatory processes under the purview of the Minister of Transport or other Government of Canada ministers.

Over the course of its 35-year history, the TSB has investigated many high-profile occurrences, and currently has more than 80 active investigations, including the Titan submersible implosion and the Delta Airlines collision with terrain at Toronto Pearson Airport. The TSB receives between 3,000 and 4,000 reports of transportation occurrences every year, of which 50 to 60 generally require full investigations.

Since the TSB is solely an investigation agency and not a regulator, it does not have regulatory red tape. The TSB does have its own regulations, however, which govern occurrence reporting and internal processes. To do its part in the context of the Red Tape Review, the TSB has identified two sets of measures aimed at making the TSB more responsive and more efficient.

### Communicate earlier and more often with the public about the progress and outcome of investigations

When there is a transportation occurrence, the TSB must decide whether to conduct a full investigation into the occurrence or limit its work to data collection. Whatever type of investigation is undertaken (from "Complex" to "Limited scope")—especially into high-profile occurrences—stakeholders, the media, and the public rightly want to know what happened with minimal delay.

Until recently, the TSB has shared only limited information about active investigations, which has occasionally drawn criticism from the public, media and stakeholders. Some investigations

take a long time to complete because of their complexity, factors beyond the TSB's control, and bottlenecks in the TSB's own processes, which delays the TSB's ability to answer questions about an occurrence.

## Actions

To disseminate information more quickly, we have developed a two-pronged approach that is already underway and will continue over the coming months:

- i) **Investigation updates:** The information on recent active investigations is now being updated on the website earlier, more often, and in more detail than it was previously. This allows members of the public, stakeholders, media, and other interested parties to receive validated factual information about an occurrence as it becomes available. It is however important to note that information that is privileged under the Act cannot be included in these updates.
- ii) **Streamlined process for publishing investigation reports:** We are reviewing internal processes to identify ways to improve and simplify how certain classes of investigation reports are published, ensuring that they reach their target audience in a timely way. This is a complex initiative that involves the review of Board-approved policies and other documents used in the conduct of investigations and the publication of reports. This initiative could result in changes to the format of some of the products, including investigation reports, published by the TSB in the future.

## Outcomes

- i) **Investigation updates:** As this initiative is being implemented, stakeholders, the media, the public, and other interested parties will receive faster, more frequent and detailed updates on active investigations.
- ii) **Investigation reports:** Once the required changes are in place, the process to publish reports and release information about an occurrence will become more streamlined for certain classes of investigations. This will help ensure reports reach their intended audiences more quickly, increase public awareness, and maximize the overall safety impact of our investigations.

## Next steps

The TSB will continue to review its internal policies to identify how processes can be improved to enable the agency to communicate more efficiently and effectively.

- i) **Investigation updates:** the initiative is ongoing. The TSB will continue to post updates in the coming months and assess whether further changes to this approach are needed to improve these products, based on feedback received internally and externally.

- ii) **Investigation reports:** working groups inside the organization have already been working on this, and the intent is to be able to implement changes in the medium-term.

## Enhance TSB's investigative capabilities and lighten the legal burden

The TSB's enabling legislation, the *Canadian Transportation Accident Investigation and Safety Board Act*, has not been significantly updated since 1998. The TSB's practical experience in the nearly three decades since then, new developments in jurisprudence, and evolving international standards have led to the identification of several areas in the Act that could benefit from being updated.

Updating the legislation would enhance TSB's investigative capabilities by equipping investigators with modern tools, aligning the TSB with international standards, and clarifying its legal authorities under the Act, ultimately reducing the significant litigation costs that the TSB incurs in defending its mandate.

### Action

Potential updates to the CTAISB Act to meet the above-mentioned objectives have already been identified and communicated. Any legislative change requires the approval of Parliament.

### Outcomes

If these changes are implemented by Parliament, we are confident that they would simplify investigative processes because they would be better aligned with recent jurisprudential trends. This would reduce the legal burden currently faced by the TSB in constantly defending its mandate, and it would also set the TSB in alignment with international standards on the conduct of safety investigations.

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