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Mandate of the Building Materials Evaluation Commission

The Building Materials Evaluation Commission (the "Commission") is a regulatory agency whose legislative authority is set out in section 28 of the *Building Code Act, 1992*.

The Commission has a mandate to evaluate and authorize, subject to conditions, any innovative construction materials, systems or building designs for use in construction in Ontario. In doing so, the Commission has the power to conduct, or cause to be conducted, research, analysis and evaluation of such innovative materials, systems and building designs. The Commission is not a testing body, but may require that testing be carried out by an applicant as part of its evaluation.

The Commission also has the authority to make recommendations to the Minister respecting changes to the *Building Code Act, 1992*, or the Building Code.

In exercising its mandate, the Commission receives all of its staffing and financial resources from the Building Services Transformation Branch of the Ministry of Municipal Affairs (the "Ministry").

Guiding Principles

As an agency authorized under the *Building Code Act, 1992*, the Commission exercises powers and performs duties in accordance with its mandate under that statute. The agency's regulatory activities and decisions must be made, and be seen by the public to be made, independently and impartially. The Commission makes decisions independently from the Ministry and the Government of Ontario.

The Commission has signed a Memorandum of Understanding with the Minister of Municipal Affairs (the "Minister") relating to the exercise of its mandate. The Memorandum of Understanding sets out the relationship between the Commission Chair and the Minister and the Ministry with respect to the Commission and the service it provides. The purpose of the Memorandum of Understanding is to establish the responsibilities of these parties and to ensure that accountability is a fundamental principle observed in the management, administration and operations of the Commission.

As an agency of government, the Commission conducts itself according to the management principles of the Government of Ontario. The Commission's proceedings are governed by the *Building Code Act, 1992*, the Building Code, the Building Materials Evaluation Commission's Guidelines, Policies and Procedures Handbook, and Treasury Board/Management Board of Cabinet Directives. These principles and governance elements include ethical behaviour, accountability, excellence in management, wise use of public funds, and high-quality service to the public, through contributing to the health, safety, accessibility and energy efficiency of buildings in Ontario and by playing a positive role within Ontario's construction sector.