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MANZER CANADA-U.S. COMMERCIAL LAW GUIDE Second Edition by Dr. Alison R. Manzer Release No. 3, November 2025
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This publication is a practical guide to commercial business and legal issues that can arise for businesses operating in both Canada and the United States. An examination of each of Canada and the United States, on a comparative basis, indicating areas that should be considered by a business commencing, or continuing, business in both countries. The book highlights commercial law in areas where similarities or differences in the legal systems can affect business operations, legal decisions, legal documentation and practices and processes.

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This release features the addition of new commentary in Chapter 12A, *Securities Law Treatment of Digital Assets*, and 12E, *AI Use and Regulation*.

Highlights:

- **AI Use and Regulation—AI Regulation in Canada**—There is currently no formal legislation on AI regulation in Canada at the federal or provincial level. Over the past few years, the Artificial Intelligence and Data Act (“AIDA”) gained a significant amount of traction as part of Bill C-27, but due to the prorogation of Canada’s Parliament in January 2025, AIDA and its associated legislation has died on the order paper. The Minister of Artificial Intelligence and Digital Innovation, Evan Solomon, has stated that the current federal administration is not planning to reintroduce AIDA, but instead, intends to introduce “light, tight, [and] right” regulation going forward. However, certain aspects of AIDA may still be carried forward as an updated regulatory framework for AI. As such, key aspects of AIDA remain worth highlighting.
- **AI Use and Regulation—AI Regulation in the United States**—Similar to the Canadian regime, there is currently no federal AI legislation or regulation in the U.S. However, on December 5, 2024, the then-incoming U.S. President announced the appointment of David Sacks as the U.S. “Crypto and AI Czar”. At the time of publication of this chapter, the decision-making capacity of the Czar is unclear, as well as their respective policy directives. Further, on January 23, 2025, the current administration issued an Executive Order rescinding the former administration’s Executive Order regarding AI, due to concerns that the previous Executive Order was unnecessarily burdensome and stifled innovation in the AI sector. This Executive Order also called upon U.S. departments and agencies to revise or rescind all actions taken under the previous administration’s Executive Order on AI. While it remains to be seen how departments and agencies will respond to this, it appears to chill previous federal AI initiatives such as the White House Blueprint for an AI Bill of Rights.